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ABSTRACT

The LegiSchool Project of California State University, Sacramento, and the California State Legislature planned two town hall meetings focusing on hate crime for the winter of 1999-2000, one in Los Angeles and one in Sacramento to provide forums in which California's high school students, educators, and legislators can engage in face-to-face dialogue about problems of mutual interest. This guide contains background materials, articles, and critical thinking questions to help participants prepare for the meetings. The resource materials are: (1) "Statement by the President"; (2) "S.622: Hate Crimes Prevention Act of 1999"; (3) "SB 80: Hate Crimes Prevention and Prosecution"; (4) "California's Civil and Criminal Laws Pertaining to Hate Crimes"; (5) "Erasing Hate: A Guide to Civil Rights in Your School"; (6) "A Policymaker's Guide to Hate Crimes"; (7) "Hate Crime in California 1998"; (8) "What Makes a Crime Front-Page News?"; (9) "Wiping Out Hate in U.S.: Change Must Begin Community by Community"; (10) "Crimes of Hate"; (11) "Wave of Hate Crimes Reflects a War against Immigrants"; (12) "If We Respond to Hate Groups with Hate: Silenced, They May Be More Dangerous"; (13) "Arson Hits 3 Synagogues in Sacramento Area"; (14) "Charges Filed in Slaying of Gay Couple"; (15) "A Skinhead's Story: An Interview with a Former Racist"; (16) "Resisting Arrest: Racist Resistance Records Isn't Slowing Down"; (17) "Activism vs Hacktivism: HateWatch Condemns Hacking Hate Sites"; (18) "Violence, Hate and Youth"; (19) "Freedom of Hate Speech: Good or Bad, the Internet Is an Open Forum"; (20) "Net Spreads Hate, but Also Fights It"; (21) "National Anti-Violence Coalition Urges House To Pass Hate Crimes Protection Act"; (22) "Taking Hate Groups to Court"; (23) "Fighting Hate across the Nation"; (24) "Hate Crime Laws in the United States July 1999"; (25) "Intelligence Project: Active Hate Groups in the U.S. in 1998"; (26) "Hate Behavior Pyramid"; (27) "No Hate Resource Site: Response to Hate Crimes in the Miami University Community"; (28) "Ten Hate Violence Prevention Resources and Publications on the Web"; (29) "Somewhere in America"; (30) "Ten Ways To Fight Hate"; and (31) "Prejudice: 101 Ways You Can Beat It!." (SLD)

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A Town Hall Meeting

Hate Behavior and Hate Crimes:
What motivates people to hate?
How can we prevent hate crimes in our schools and communities?

ED 446 192

Simon Wiesenthal Center, Los Angeles
December 7, 1999
&
California State Capitol
February 1, 2000

This event is a production of The LegiSchool Project:
An educational collaboration between California State University, Sacramento and the California State Legislature.

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A Town Hall Meeting

Hate Behavior and Hate Crimes: What Motivates People to Hate? How Can We Prevent Hate Crimes in Our Schools and Communities?

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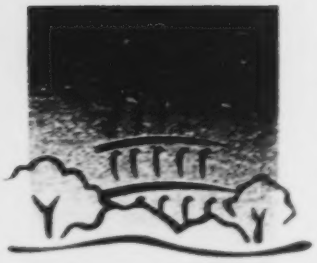

The LegiSchool Project

An educational collaboration between California State University, Sacramento and the California State Legislature

An Issues-Oriented Civics Curriculum Promoting Dialogue, Participation and Critical Thinking

6000 J Street
Sacramento, CA 95819-6081
278-6906 • 278-5199 FAX

Winter 1999

Dear Town Hall Meeting Participants:

This Winter, LegiSchool will conduct the two Town Hall Meetings on hate crimes. The first will take place on December 7 from the Simon Wiesenthal Center in Los Angeles and the second will take place on February 1 from the State Capitol. Once again, the meetings will be broadcast by the California Channel and are also available on videotape.

The purpose of these meetings is to provide a forum in which California's high school students, educators, and legislators can engage in face-to-face dialogue about problems of mutual interest. The topic for this Town Hall Meeting is, ***Hate Behavior and Hate Crimes: What Motivates People to Hate and How Can We Prevent Hate Crimes in Our Schools and Communities?***

The background materials, articles, and critical thinking questions included in this guide are designed to help the participants prepare for the meeting. In addition, this guide can be used to address some of the state's social science content standards. For example, legislation in this guide can be used to demonstrate the process of lawmaking, and students can be encouraged to contact state policy makers to express their opinions on the enclosed legislation or other matters of public policy.

We would like to encourage those of you who will be viewing the Town Hall Meetings on hate crimes to read the materials and discuss the critical thinking questions before the event takes place.

If you would like a free video copy of the Town Hall Meeting or want information about the LegiSchool Project, please call the LegiSchool Educator's Hotline at 1-800-321-1966 or write to us at:

The LegiSchool Project
California State University, Sacramento
6000 J Street
Sacramento, CA 95819-6081

LegiSchool would like to acknowledge the Simon Wiesenthal Center for its generous support of this important undertaking. We look forward to this very exciting collaboration and anticipate two very thoughtful and productive Town Hall Meetings on this very critical issue.

Sincerely,

Kolleen Ostgaard

Kolleen Ostgaard
LegiSchool Project Coordinator

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Hate Behavior and Hate Crimes:

What motivates people to hate?
How can we prevent hate crimes in our schools and communities?

INTRODUCTION TO THE TOPIC

"LORD, WE PRAY FOR UNITY"

This simple yet profound sentiment was displayed on a roadside restaurant marquee in Jasper, Texas, the site of the 1998 racially motivated kidnapping and lynch-style killing of James Byrd, Jr., a black man. That crime and the sentiment have rung throughout this country in recent months as the nation has been subjected to a rash of hate inspired crimes.

A number of high profile cases: the kidnapping and murder of Matthew Shepard, a gay college student in Wyoming in 1998; the massacre at Columbine High School in Littleton, Colorado in April of 1999; arson attacks against three Jewish synagogues in Sacramento in June of 1999; the murder of a prominent gay couple in Redding, California, in July of 1999; the August 1999 attack against a Jewish day care center in Los Angeles and the subsequent murder of a Filipino postal worker; and a "random" drive-by shooting spree against African Americans, Jews and Asians in Illinois and Indiana in the summer of 1999, are stunning examples of a serious hate problem in the United States.

What is to be done? As the media increases its coverage of such incidents (some say influences them), and the government seeks to implement new legislation in an attempt to curb such heinous acts, there is still much that can be done on the level of the local community. There is much that students like ***you*** can do.

This LegiSchool Town Hall Meeting Curriculum Guide intends to provide you with not only the information about why we, as a nation, are struggling with the issue of hate crimes, but also what you, as an individual and as part of a larger community, can do to combat the occurrence and spread of hate in all of its forms. The Guide is divided into five sections of readings. **Section One** deals with how the government is responding to hate crimes through legislation and education. **Section Two** highlights examples of recent hate crimes and explores some key questions about these crimes, particularly those dealing with motivation for the crimes, reporting of the crimes, and how to respond to them. **Section Three** looks at hate on the Internet and in music, two media that are perfectly suited for the rapid and widespread dissemination of hate speech, the most prolific form of hate expression today. **Section Four** focuses on what communities are doing to respond to hate crimes. **Section Five** provides you with resources that enable you to recognize hate behavior, understand what leads someone to hate and what you can do to prevent hate in your community.

Our fundamental ethical code is under attack. Are we informed enough and courageous enough to respond?

HATE CRIMES: SOME BASIC INFORMATION

The unfortunate but undeniable truth is that hate crimes have long been a part of human history. The United States is not an exception. Our country tolerated legal slavery long after other western democracies abolished it. Irish Catholic immigrants in the 19th century faced widespread discrimination and mobs that burned Catholic churches. Chinese and Japanese immigrants were recruited as workers and then subjected to numerous legal restrictions and often mob violence. Only a few decades ago, African-Americans seeking to register to vote were frequently beaten and often murdered. The saying "the only good Indian is a dead Indian" reflected popular opinion as well as official state and federal government policies for many years. Widespread falsehoods about the Holocaust have fueled anti-Jewish feelings and actions. The growth of the Latino population has generated fear, suspicion and hatred. As American society deals with the historic and current realities of homosexuality, attacks on gays and lesbians have increased dramatically.

The United States is not alone in facing the problem of hate crimes. In Germany, brutal attacks on immigrant workers are depressingly commonplace. Major political figures in Russia, France and even Switzerland openly blame Jews and foreigners for their country's problems. In recent years, mass murders of ethnic minorities in East Timor, the Balkans, Iraq, and Africa have filled the news headlines and international court dockets. The fact that hate crimes are not unique to the United States does not mean we should tolerate such crimes. Indeed, the principles of American tolerance, a belief in the equality of all, and the invaluable gifts and resources brought to the country by immigrants (from the Puritans in 1620 to Pakistanis in 1999), make it especially important that America and Americans remain faithful to our principles embodied in the Constitution, Bill of Rights and Declaration of Independence.

The challenge facing Americans today is far different and more difficult than it has been in the past. The Internet is facilitating the speed and ease of information dissemination. The growing diversity of America (700,000 legal immigrants per year/2-3 million illegal immigrants per year) is creating a new environment in which minority groups are hating other minority groups, especially as they compete for limited economic resources and opportunities. Hate is not limited to one type of person. Even though statistics show that the majority of perpetrators of hate crimes are disproportionately male, less than 25 years old, and not connected with a known hate group, hate cuts across age, intelligence, and socio-economic class. Recent FBI statistics document over 10,000 reported cases of hate crimes in the United States in 1996, and experts on hate crimes are quick to point out that caution must be exercised in interpreting these statistics due to traditional underreporting of such crimes and the relatively recent collection of these data.

The term "hate crime" is very broad and there are differing definitions. The Federal Government has a definition (see Bureau of Justice Assistance's *A Policymaker's Guide to Hate Crimes*), but by 1993 fewer than half the states had adopted this definition and some had added other categories to it. This apparent disagreement between the Federal Government and the states is probably as indicative of the age-old conflict between states' rights and the supremacy of the national government, as it is a particular dispute over the breadth of the definition. For the

purpose of this guide, we will define a hate crime in the following way: ***A hate crime is when a person is targeted for physical assault, threat of bodily harm or intimidation, at least in part because they are a member of a different race, color, religion, ethnic background, natural origin, gender, or sexual orientation from the offender, or because of a physical disability***. A hate crime thus goes beyond harassment or discrimination because of its inclusion and focus on a physical assault or attack. In statistics for 1998 released by the California Attorney General's Office, it was reported that of 1,750 events of hate crimes, violent crimes (aggravated assault, simple assault, and intimidation) accounted for almost 70% of these events.

The climate that inspires this behavior is variable and is influenced by a number of factors, including economic status, media, use of language, and an individual's experience with others. In the early 1990s, economic turmoil brought about by a recession helped to produce Proposition 187 in California. In recent years, the growth of "shock" radio and the accessibility of the Internet has led people to focus their frustrations on the government and those it supports. Those who promote hate crimes are focusing more and more on people's fear and anger and directing it against a government that they believe "overregulates, overtaxes, and sometimes, murders its citizens" (e.g. Waco, Ruby Ridge).

It is relatively simple for the criminal justice system to take action against acts of hate which involve physical violence, but what happens when the hate is restricted to "intimidating" speech, which may indeed cause emotional suffering, but which does not involve a direct physical assault? Hate crime statutes such as the "Ralph Act" and the "Bane Act" (California Civil Code), and federal and state penal codes, can regulate conduct, but they have relatively limited control over speech. Dr. Martin Luther King, Jr., once spoke about the need to change the vocabulary that people used before it was possible to change their behavior for the better. But most Americans, in this pluralistic society of ours, are loathe to put too many (if any at all) restrictions on basic freedoms such as speech and expression, regardless of whether or not it offends the decency and moral sensibilities of most people. The United States Supreme Court (see *Schenck v. U.S.* 1919, and *Brandenburg v. Ohio*, 1969) has interpreted the U.S. Constitution to place some limits on speech – for example, you can't yell fire in a crowded movie theater – but it has also held that the speech must pose an "imminent danger" to an individual or a community before it can be restricted. As a result, state and federal law enforcement agencies have found it difficult to restrict hate speech on the Internet and in music. Likewise, state attorneys general struggle to prove cause and effect between hate speech and subsequent actions, although there have been some successes (see Morris Dees and Ellen Bowden, *Taking Hate Groups to Court*). The age-old and usually beneficial tension between essential First Amendment freedoms and concerns about the common good, particularly issues of order and protection of personal property, has never been more tested than during this recent period of hate inspired crimes.

There has been a great deal of government response to hate crimes (see Bureau of Justice Assistance – *A Policymaker's Guide to Hate Crimes*), but hate inspired violence seems to be ever on the rise. This stands in stark contrast to a violent crime rate (murder, rape, burglary, assault) that has declined in recent years. The majority of the states do have hate crime laws, but there is

little consistency of application from state to state. Since 1996, primarily in response to the rash of arson attacks against black churches throughout the country, the Clinton administration has led an aggressive fight against hate crimes. Currently there is legislation pending (U.S. Senate Bill 622) that would extend protection to victims of a hate crime motivated by sexual orientation, gender, or disability. Also, in California, SB 80, which was vetoed by Governor Gray Davis in October of 1999, would have established the California Commission on Violence, Hate Groups, and Paramilitaries, and would have, in order to protect public safety and the quality of life, expanded protection to individuals on the basis of *actual or perceived gender or sexual orientation*. In his veto message, Governor Davis indicated that he thought SB 80 was premature at this time, given his earlier creation of a special commission that would recommend steps the state could take to combat hate groups and paramilitary organizations. AB 1163, recently signed by Governor Davis, establishes a California unity center that would document the history of discrimination in California, promote racial and ethnic harmony and help police investigate hate groups. But, is this enough? Alternatively, is this necessary given the number of statutes already in existence? What is the extent to which government can combat these crimes directly, especially given the issue of civil liberties?

Changing tactics on the part of hate groups and individuals, facilitated by the use of the Internet and the mass media (music and radio), have made it more difficult for the government to police hate behavior. Without the support of local communities throughout the country, is it possible for government to protect both personal liberties and First Amendment rights?

MODERN RECRUITMENT: CHALLENGES FOR SOCIETY

The Internet and electronic technology have made it easier than ever to disseminate hate messages. Gone are the days when an epithet-loaded leaflet served as a race-baiter's recruiting tool. Today, hate groups utilize cutting-edge technology to attract new members. Websites, chat rooms, streaming video and compressed digital audio, broadcast an old message to a new audience. Young tech-savvy males, mostly white and 15-25 years of age, fit the recruiting profile and find themselves the mark for the racist messages.

How should society proceed in its attempts to stifle the growth of hate groups? Some officials would use the full power of government to pull the plug on Internet sites. Civil libertarians and Internet service providers demand First Amendment protections for the content of these websites. Others assert that parents should monitor their children more closely, using software filters to screen out hate sites.

Some activists who monitor hate groups contend that no censorship works best. This tactic allows hate groups to exist in the spotlight of public scrutiny -- where all can view, evaluate and counter their message. Finally, as you have read above, the Supreme Court, the final arbiter in matters of civil liberties, takes a dim view of censorship and generally allows speech which poses no "imminent danger" to an individual or community.

Similar to websites, hate groups use music to recruit new members. One independent studio distributes the recordings of several different white supremacist musicians. It does so with a nationally distributed catalog and a website. Two years ago, government officials tried to close the operation on tax evasion charges. Despite their efforts, the studio has re-opened and will likely earn a profit again this year.

Young males, typically alienated, find themselves the targets for music that some observers have characterized as "Gothic" and "surreal." Once enticed by the music, the next step is to introduce them to the embedded politics. A number of questions arise as to the means necessary to short circuit this process. Does the nature of adolescence contribute to this alienation? Is this alienation related to the "clique culture" found in some high schools? Does the size of a high school and a student's feelings of anonymity contribute as well?

Facing all of these challenges, each citizen must search his or her own heart for a personal solution to the spread of hate and join with others in the community to craft a settlement that respects the rule of law while sending a stern message that individuals and communities will tolerate neither hate speech nor the crimes which result from it.

Section 1

The Government's Response to Hate Crimes

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release August 4, 1999

STATEMENT BY THE PRESIDENT

Two weeks ago I was glad to see the Senate pass S. 622, the important hate crimes legislation I supported with a bipartisan coalition in Congress. But there is much more work to be done. Today the House Judiciary Committee will hold hearings on hate crimes. That is welcome news, but it must lead to the entire House's consideration and passage of strong, effective hate crimes legislation, and ultimately to enactment of a hate crimes law.

Effective legislation must accomplish three objectives. First, it must remove serious jurisdictional limitations, which require proof that victims were attacked because they were engaging in particular activities. Second, it must expand federal coverage for violent hate crimes based on sexual orientation, gender or disability. There is no question that innocent people have been targeted and attacked and in some cases even killed solely because of their sexual orientation, gender or disability. Such hate crimes must be covered by any legislation passed by the Congress. Third, it must recognize that state and local authorities should continue to prosecute the great majority of hate crimes, and that federal jurisdiction should be exercised only when it is necessary to achieve justice in a particular case. Any bill that does not include these three elements falls far short of what America needs in our battle against hate.

No American should have to suffer the violence of a hate crime. Unfortunately many do, and therefore we must work together to ensure that all Americans receive greater protection. This should not be a partisan issue. It is a national concern requiring a national response, in the form of strong hate crimes legislation. I call on the House of Representatives to meet its responsibility in combating violence that is fueled by hate and to complete what the Senate has begun.

If we work together, we have it within our grasp to enact a bill that will take a very strong stand against those who perpetrate crimes based on prejudice and hate. We must not let this opportunity pass us by.

###

Hate Crimes Prevention Act of 1999 (Introduced in the U.S. Senate)

106th CONGRESS
1st Session

S. 622
To enhance Federal enforcement of hate crimes, and for other purposes.

IN THE SENATE OF THE UNITED STATES

March 16, 1999

Mr. KENNEDY (for himself, Mr. SPECTER, Mr. WYDEN, Mr. SCHUMER, Mr. SMITH of Oregon, Mr. DASCHLE, Mr. LEAHY, Mr. TORRICELLI, Mr. AKAKA, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BRYAN, Mr. CHAFEE, Mr. CLELAND, Mr. DODD, Mr. DURBIN, Mr. HARKIN, Mr. JEFFORDS, Mr. JOHNSON, Mr. KERREY, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SARBANES, and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

A BILL

To enhance Federal enforcement of hate crimes, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Hate Crimes Prevention Act of 1999'.

SEC. 2. FINDINGS.

Congress finds that--

(1) the incidence of violence motivated by the actual or perceived race, color, national origin, religion, sexual orientation, gender, or disability of the victim poses a serious national problem;

(2) such violence disrupts the tranquility and safety of communities and is deeply divisive;

(3) existing Federal law is inadequate to address this problem;

(4) such violence affects interstate commerce in many ways, including--

(A) by impeding the movement of members of targeted groups and forcing such members to move across State lines to escape the incidence or risk of such violence; and

(B) by preventing members of targeted groups from purchasing goods and services, obtaining or sustaining employment or participating in other commercial activity;

(5) perpetrators cross State lines to commit such violence;

(6) instrumentalities of interstate commerce are used to facilitate the commission of such violence;

(7) such violence is committed using articles that have traveled in interstate commerce;

(8) violence motivated by bias that is a relic of slavery can constitute badges and incidents of slavery;

(9) although many State and local authorities are now and will continue to be responsible for prosecuting the overwhelming majority of violent crimes in the United States, including violent crimes motivated by bias, Federal jurisdiction over certain violent crimes motivated by bias is necessary to supplement State and local jurisdiction and ensure that justice is achieved in each case;

(10) Federal jurisdiction over certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes; and

(11) the problem of hate crime is sufficiently serious, widespread, and interstate in nature as to warrant Federal assistance to States and local jurisdictions.

SEC. 3. DEFINITION OF HATE CRIME.

In this Act, the term 'hate crime' has the same meaning as in section 280003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (28 U.S.C. 994 note).

SEC. 4. PROHIBITION OF CERTAIN ACTS OF VIOLENCE.

Section 245 of title 18, United States Code, is amended--

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

(c)(1) Whoever, whether or not acting under color of law, willfully causes bodily injury to any person or, through the use of fire, a firearm, or an explosive device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person--

(A) shall be imprisoned not more than 10 years, or fined in accordance with this title, or both; and

(B) shall be imprisoned for any term of years or for life, or fined in accordance with this title, or both if--

(i) death results from the acts committed in violation of this paragraph; or

(ii) the acts committed in violation of this paragraph include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

(2)(A) Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B), willfully causes bodily injury to any person or, through the use of fire, a firearm, or an explosive device, attempts to cause bodily injury to any person, because of the actual or perceived religion, gender, sexual orientation, or disability of any person--

(i) shall be imprisoned not more than 10 years, or fined in accordance with this title, or both; and

(ii) shall be imprisoned for any term of years or for life, or fined in accordance with this title, or both, if--

(I) death results from the acts committed in violation of this paragraph; or

(II) the acts committed in violation of this paragraph include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

(B) For purposes of subparagraph (A), the circumstances described in this subparagraph are that--

(i) in connection with the offense, the defendant or the victim travels in interstate or foreign commerce, uses a facility or instrumentality of interstate or foreign commerce, or engages in any activity affecting interstate or foreign commerce; or

(ii) the offense is in or affects interstate or foreign commerce.

SEC. 5. DUTIES OF FEDERAL SENTENCING COMMISSION.

(a) AMENDMENT OF FEDERAL SENTENCING GUIDELINES- Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall study the issue of adult recruitment of juveniles to commit hate crimes and shall, if appropriate, amend the Federal sentencing guidelines to provide sentencing enhancements (in addition to the sentencing enhancement provided for the use of a minor during the commission of an offense) for adult defendants who recruit juveniles to assist in the commission of hate crimes.

(b) CONSISTENCY WITH OTHER GUIDELINES- In carrying out this section, the United States Sentencing Commission shall--

(1) ensure that there is reasonable consistency with other Federal sentencing guidelines; and

(2) avoid duplicative punishments for substantially the same offense.

SEC. 6. GRANT PROGRAM.

(a) AUTHORITY TO MAKE GRANTS- The Office of Justice Programs of the Department of Justice shall make grants, in accordance with such regulations as the Attorney General may prescribe, to State and local programs designed to combat hate crimes committed by juveniles, including programs to train local law enforcement officers in investigating, prosecuting, and preventing hate crimes.

(b) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 7. AUTHORIZATION FOR ADDITIONAL PERSONNEL TO ASSIST STATE AND LOCAL LAW ENFORCEMENT.

There are authorized to be appropriated to the Department of the Treasury and the Department of Justice, including the Community Relations Service, for fiscal years 2000, 2001, and 2002 such sums as are necessary to increase the number of personnel to prevent and respond to alleged violations of section 245 of title 18, United States Code (as amended by this Act).

SEC. 8. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

California State Senate

Current Session Legislation

9/9/99 Senate Floor Analyses

SB 80 - Hate Crimes: Hate Crimes Prevention and Prosecution

Bill No: SB 80 Author: Hayden (D), et al Amended: 9/7/99
Vote: 27 SENATE FLOOR : Not Relevant ASSEMBLY FLOOR : 67-9, 9/8/99 - See last page for vote

SUBJECT: Hate crimes: hate crime prevention and prosecution
SOURCE: Author
DIGEST: This is a new bill. As it left the Senate this bill enacted the Sherrice Iverson Child Protection Act. These provisions were deleted in the Assembly. As amended in the Assembly, this bill would establish the California Commission on Combating Hate Groups and would set forth the responsibilities and goals of the commission. The bill appropriates $200,000 for purposes of implementing this bill.

ANALYSIS: Existing law authorizes the formation of various task forces for crime prevention and investigation. This bill would establish the California Commission on Combating Hate Groups, and the Attorney General's Commission on Hate Crime Prevention, and would specify their purposes and membership.

This bill would require the California Commission on Combating Hate Groups to report to the Governor and the Legislature not later than January 1, 2001, and the Attorney General's Commission on Hate Crime Prevention and Prosecution to report, before January 1,2001, to the Legislature. This bill would further provide that its provisions become inoperative on August 1, 2000, and as of January 1, 2001,is repealed, unless a later enacted statute that is enacted before January 1, 2001, deletes or extends the dates on which it becomes inoperative and is repealed. The bill would appropriate $200,000 from the General Fund, with $100,000 to the Office of Criminal Justice Planning for allocation to the Commission on Combating Hate Groups and to the Attorney General for allocation to the Attorney General's Commission on Hate Crime Prevention and Prosecution. Specifically, the bill establishes the California Commission on Combating Hate Groups (CCHG) and the Attorney General's Commission on Hate Crime Prevention and Prosecution (CHCPP).

This bill:

1. Establishes the CCHG, which has the responsibility to review and prepare a report with recommendation in the following areas: (a) review existing laws relating to possible criminal or civil liability of hate groups, their leaders and members generally and specifically as they relate to the incitement of violent acts against ethnic minorities, racial or religious groups, people of a specific gender or sexual orientation, other segments of the population, law enforcement officers, the judiciary, and other civic and governmental officials; (b) discuss laws or other measures that could be amended, enacted, or implemented within constitutional parameters to minimize the influence of hate groups and violence by doctrines they espouse; and (c) make other relevant recommendations deemed appropriate for consideration in dealing with hate groups or hate group-incited violence.
2. Sets the number of CCHG members at 12 and authorizes: (a) the Governor to appoint six members and two co-chairs; (b) the Speaker of the Assembly to appoint two members; and, (c) the Senate Committee on Rules to appoint two members.
3. Requires CCHG to make its report not later than January 1, 2001.
4. Requires CCHG to establish contact with CHCPP.

5. Establishes CHCPP, which has the responsibility to make recommendations concerning the role of the Department of Justice in preventing and prosecuting hate crimes and promotion tolerance, and defines its purposes as follows: (a) to evaluate the collection and reporting of hate crime statistics; (b) to investigate and assess the existence and character of armed hate groups, paramilitaries, and militias that support violence against Californians based on their religion, race, gender, sexual orientation, or political views; (c) to create public awareness of the phenomenon of armed hate groups and their challenge to democracy, equality, and community peace; (d) to review, recommend, and, if appropriate, facilitate a coordinated law enforcement approach to deterring armed hate groups from carrying out violence; (e) to evaluate the strength, efficiency and uniform enforcement of state criminal and civil right laws aimed at preventing and punishing perpetrators of hate crimes; (f) to assess and recommend improvements in public education to promote consciousness of the nature and sources of bigotry, hate, and violence, and recommend changes that may be effective in promoting a deeper understanding of diversity and nonviolent conflict resolution; (g) to assess the role of the Internet in facilitating coordination and dissemination of information regarding the manufacture of explosives and other weapons of destruction for militias and to recommend any changes that may deter violence and enhance public safety; (h) to assess any socio-economic trends which tend to inflame inter-group resentment, "scapegoating", and violent antagonism; (i) to assess whether new or alternative public health or mental health approaches are needed to address the psychological mechanism of violent hatred and scapegoating; and, (j) to recommend to the Governor and Attorney General a system of prioritizing security upgrades for potential targets of hate crimes.
6. Sets the number of CHCPP members at 17 and authorizes: (a) the Attorney General to appoint seven members and makes the Attorney General the chair; (b) the Speaker of the Assembly to appoint four members; and (c) the Senate Committee on Rules to appoint four members. Makes the Lieutenant Governor an ex officio member and requires the Governor to appoint one member as a liaison with CCHG. Requires the appointments to be made "expeditiously."
7. Requires CHCPP membership to include "Californians of varied expertise and diverse backgrounds with a demonstrated interest in comprehensive approaches to combating hate groups and paramilitary violence. The commission shall be served by professional staff and consultants with a wide expertise in law enforcement, multicultural programs, education, business and labor, and social psychology, including individuals with expertise in violence prevention and anti-bigotry projects."
8. Requires CHCPP to hold at least two hearings to invite public participation.
9. Authorizes CHCPP members to receive per diem and travel expenses for attendance.
10. Requires CHCPP to report to the Governor, the Attorney General and the Legislature no later than January 1, 2001.
11. Appropriates $200,000 to fund CCHG and CHCPP ($100,000 for each Commission).

SUPPORT: (Verified 9/9/99) Intergroup Clearing House, Gay and Lesbian Center, University Synagogue, Shaarey Zedek Congregation, Kehillat Israel, Simon Wiesenthal Center, Mexican American Legal Defense and Educational Fund, Artists for a New South Africa, National Council of Jewish Women, Jewish Public Affairs Committee of California, Los Angeles County Federation of Labor, AFL-CIO

ARGUMENTS IN SUPPORT: The Intergroup Clearing House states that, "we are in strong support of SB 80, which would bring together hate violence experts to assess current efforts in the field, raise awareness, as well as make recommendations for improvement in all aspects of victim assistance and prevention. We are particularly enthusiastic about the legislation's intent to bring together the governor, the Senate and the Assembly, with the Attorney General. Any successful, meaningful effort to understand and address hate violence an crime must have the unified support of the government and law enforcement."

California's Civil and Criminal Laws Pertaining to Hate Crimes

(Updated as of October 14, 1998 by Kathleen W. Mikkelson, Deputy Attorney General, Civil Rights Enforcement Unit, Oakland) **Condensed for use in this guide.**

Civil Statues

1) "The Ralph Act" (Civil Code sections 51.7 and 52) provides that it is a civil right for a person to be free of violence or its threat against the person or his or her property, because of a person's race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age or disability or position in a labor dispute, or because a person is perceived to have one or more of these characteristics (bases of discrimination are illustrative, rather than restrictive).

Enforced by the Department of Fair Employment and Housing, which prosecutes, and the Fair Employment and Housing Commission, which adjudicates, and by the Attorney General, any district or city attorney and by private attorneys.

Provides for civil penalties of up to $25,000 for perpetrators, civil remedies to victims of "hate violence," three times actual damages, but no less than $1,000, punitive damages, injunctive relief and attorney's fees.

2) "The Bane Act" (Civil Code section 52.1) provides protection from interference by threats, intimidation, or coercion or for attempts to interfere with someone's state or federal statutory or constitutional rights (these include association assembly, due process, education, employment, equal protection, expression, formation and enforcement of contracts, holding of public office, housing, privacy, speech, travel, use of public facilities, voting, worship, and protection from bodily restraint of harm, from personal insult, from defamation, and from injury to personal relations) – proof of "hat motivation" required, according to a 1994 Court of Appeal decision in Boccato v. City of Hermosa Beach.

Enforced by Attorney General, any district attorney or city attorney, or private attorney.

Provides for civil penalties for perpetrators, civil remedies to victims of "hate violence," three times actual damages, but no less than $1000, punitive damages, injunctive and other equitable relief (violation of the injunctive relief is punishable by a criminal contempt action, with a penalty or six months in jail and/or a fine not exceeding $1000) and attorney's fees.

Speech alone is not sufficient to support an action under the Bane Act, unless the speech itself threatens violence against a specific person of group of persons, and the person or group of persons against whom the threat is directed reasonably fears that, because of the speech, violence will be committed against them or their property and that the person threatening the violence had the apparent ability to carry out the threat.

No order shall restrict the content of a person's speech.

Education Code Provisions re: Hate Crimes

In 1994 the Legislature enacted the California Schools Hate Violence Reduction Act of 1995. This Act requires the State Board of Education, if private funds are available, at the request of the superintendent of Public Instruction, to do the following:

1) adopt policies and guidelines to prevent and respond to acts of violence;
2) revise existing state curriculum, frameworks and guidelines and the moral and civic education curricula to include human relations education;

3) establish guidelines for use in teacher and administrator in-service training programs: a) to promote an appreciation of diversity; b) to discourage discriminatory attitudes and practices among pupils, teachers, administrators, and counselors; and c) to enable teachers and administrators to prevent and respond to acts of hate violence;
4) revise guidelines previously adopted by the board to include procedures to prevent and respond to acts of hate violence; and,
5) encourage teachers to impress upon the minds of pupils the meaning of equality and human dignity and to foster an environment that is free from discriminatory attitudes, practices, events, or activities, in order to prevent acts of hate violence. (Education Code sections 45, 33032.5 and 44806).

Among the grounds for the suspension or expulsion of a pupil in grade four through 12 is now the commission of acts of hate violence (See Education Code section 48900.3 and 48915.)

California's Victims of Crime Program
Under Government Code sections 13959-13969.4, some crime victims may be eligible for financial assistance for unreimbursed expenses resulting from the crimes.

Important California Supreme Court Cases Interpreting California Hate Crime Statutes
In re M. S. (1995) 10 Cal. 4th 698 (California Supreme Court upheld the constitutionality of California's hate crime statutes, rejecting defense claims that the laws are overboard, vague, or impermissible content-based regulation of speech; the court also ruled that when a defendant has multiple motives for committing a crime, the kind of bias prohibited by the hate crime law must be a substantial factor in bringing about the crime before the crime will be considered a hate crime).

People v. Superior (Aishman) (1995) 10 Cal. 4th 735 (Penal Code section 422.75, which provides for imposition of sentence enhancement for felonies committed because of the victim's actual or perceived race, color, nationality, country or origin, ancestry, disability or sexual orientation, does not need to be read to include a specific intent requirement; this section will also be interpreted to require that when multiple concurrent causes for the offense exist, if the bias motivation is a substantial factor in bringing about the offense, the perpetrator's sentence can be enhanced).

Important United States Supreme Court Hate Crimes Cases
R.A.V. v. City of St. Paul (1992) 505 U.S. 377 (Supreme Court struck down city ordinance proscribing messages of racial, gender, or other religious intolerance, because it made criminal only those types of expression which were disfavored by the city council; this was held to be impermissible content-based restriction of speech.)

Wisconsin v. Mitchell (1933) 508 U.S. 476 (Mitchell's First Amendment rights were not violated by the application of a penalty-enhancement provision for hate crimes in sentencing him; Wisconsin statute is aimed at conduct unprotected by the First Amendment; state's desire to redress greater individual and societal harm inflicted by bias-inspired conduct was motive passing statute, not disagreement with offenders' beliefs or biases; statute has no chilling effect on free speech.)

Erasing Hate

*A Guide to Your Civil Rights in School:

Your Right to be Free from Discrimination, Harassment and Hate-Motivated Violence

Tom Riley
Attorney General
Commonwealth of Massachusetts

From the desk of
Attorney General Tom Riley

Every student has the right to attend school safely regardless of their race, color, religion, national rigin, ethnic background, gender, sexual orientation or disability. Hate-motivated violence, harrassment and discrimination may interfere with student's academic performance and pysical and emotional well-being. It may also affect a student's ability to enjoy his or her school education.

Teachers and school administrators can play an enormously important role in ensuring that your civil rights are protected so that you and other students can take full advantage of the numerous educational opportunities offered by the Commonwealth's public schools. If your civil rights are being violated, however, this guide can serve as a source of information about the laws protecting you and the resources available for reporting hate-motivated harassment, discrimination or violence.

For the sake of all students, as well as the larger community, each of us must make sure that every student has a safe physical and emotional environment in which to learn.

HATE CRIMES

You have the right to attend school without being the victim of physical violence, threats of harm, intimidation or damage to your personal property. A hate crime occurs when you or a fellow student is targeted for physical assault, threat of bodily harm or intimidation, at least in part because you are a member of a different race, color, religion, ethnic background, national origin, gender or sexual orientation from the offender or because you have a disability.

Certain types of language or conduct may indicate the potential that a hate crime has occurred. Some indicators that a crime was hate-motivated include:

- Use of racial, ethinic, religious, sexual or anti-gay slurs;
- Use of symbols of hate such as a swastika or a burning cross;
- Similar behavior by the wrongdoer towards other students for the same racial, ethnic or religious group or against students of the same sexual orientation or gender; and
- Where the incident occurs while the victim was participating in an activity promoting a racial, religious, ethnic/national origin, disability, gender or sexual orientation group, such as a meeting of the National Association for Advancement of Colored People (NAACP), membership in a students' gay rights alliance or in a disablity rights demonstration.

Hate crimes most frequently occur in the following ways:

- A physical attack or a threat of bodily harm, on the basis of a student's race, color, religion, national origin, ethnic background, gender, sexual orientation or disability;
- Intimidating or threatening language based on a student's race, color, religion, national origin, ethnic background, gender, sexual orientation or disability; or
- Damage to a student's personal property or belongings because of the student's race, color, religion, national origin, ethnic background, gender, sexual orientation or disablity.

HARASSMENT

Harassment in school occurs when a student or adult's behavior or inappropriate language creates a hostile, offensive or intimidating school environment. A single incident, depending on its severity, may constitute illegal harassment.

A hostile, offensive or intimidiating school environment may be created by behaviors such as the following:

- Degrading, demeaning, insulting or abusive verbal statements or writings of a sexual or racial nature or related to student's race, color, religion, national origin, ethnic background, gender, sexual orientation or disability;
- Graffiti, slogans or other visual displays (such as swastikas and burning crosses) which contain racial, ethnic, religious slurs or insults based on the student's gender, sexual orientation or disability;
- Treatment of a student in a more or less favorable way because the student submitted to or rejected sexual advances or requests for a social relationship; and
- Unwelcome sexual advances, including same-gender harassment.

DISCRIMINATION

Every student is entitled to equal educational opportunities. A student may not be subjected to discipline or more severe punishment for wrongdoing nor denied the same rights as other students because of his or her race, color, religion, national origin, ethnic background, gender, sexual orientation or disability, including in:

- Course Registration
- Guidance Counseling and Course Instruction
- Extra-Curricular Activities and Athletic Programs

Students with disabilities are protected under federal and state law for discrimination. Such students are entitled to: (1) have their programs and actiites in a physically accesible location; (2) be ensured "effective communication," including, where necessary, the provision of additional aids and services; and (3) reasonable modification of a school's policies and practices, where necessary, to receive an equal education. Students with special educational needs may be entitled to an individualized educational program.

WHAT YOU SHOULD DO IF YOU ARE A VICTIM OF A HATE CRIME, HARASSMENT OR DISCRIMINATION

If you have been physically attacked, threatened with physical harm or discriminated against while in school or while participating in a school-related activity, because of your race, color, religion, national origin, ethnic background, gender,sexual orientation or disability, or if you witness these acts against another student:

- Notify your local police in an emergency or if you or another **student's personal safety is in danger.**
- In all circumstances where you are the subject of any serious incident of harassment or any incident involving intimidation, threat of violence or physical attack, you should **notify a school official.**
- For non-serious forms of harassment or discrimination only, you may want to try to speak with the person you feel has harassed you or discriminated against you -- for example, the teacher, coach, other student or adminstrator -- to request that the offensive conduct stop. Only do this if you feel safe and are comfortable doing so. If you do not feel safe or comfortable doing this alone, ask someone you trust -- such as a parent, a friend, a family member, the school nurse, a teacher or your guidance counselor -- to accompany you.
- Talk about the situation with your parents, your guardian or another adult whom you trust.
- If there is still a problem, make an appointment with your school principal to explain why you believe your rights have been violated.
- If your principal feels that your rights are not being vioalted, or if you are unable to meet with him or her, talk with your school superintendent.
- If you still feel that your concerns are not being appropriately addressed, you may file a formal complaint with your school superintendent and the school committee. Your school committee must respond to you in writing wtihin 30 days of your filing a complaint.
- You may also request an investigation of your complaint by contacting your school district's Office of Equity or the person designated to coordinate or handle harassment and discrimination complaints in your school district.

*Taken from **"Protecting Students from Harassment and Hate Crime: A Guide for Schools."** Published by the U.S. Department of Education, the Office of Civil Rights and the National Association of Attorneys General.

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BJA Bureau of Justice Assistance

A Policymaker's Guide to Hate Crimes

March 1997
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Monograph

NCJ 162304

Executive Summary

Despite the best efforts of political and community leaders to foster tolerance and understanding, deep-seated racial tensions continue to plague the Nation. News stories of bias-motivated incidents fill the national pages of major U.S. newspapers. A rash of arsons at African-American churches in the South, for example, has spurred the Federal Government to launch a major investigation that, so far, has led to the arrest of 120 suspects. Of the 298 Federal arson investigations carried out between January 1995 and November 1996, approximately 43 percent involved fires at black churches, although white churches far outnumber black churches in the Nation. Political and religious leaders said that the disproportionate number of black churches being burned indicated that the Nation was experiencing a serious wave of hate crimes.

Hate Crime History

While the hate crime problem has moved up the political agendas of policymakers at every level of government in recent years, the phenomenon is hardly new.

From the Romans' persecution of Christians and the Nazis' "final solution" for the Jews to the "ethnic cleansing" in Bosnia and genocide in Rwanda, hate crimes have shaped and sometimes defined world history. In the United States, racial and religious biases largely have inspired most hate crimes. As Europeans began to colonize the New World in the 16th and 17th centuries, Native Americans increasingly became the targets of bias-motivated intimidation and violence. During the past two centuries, some of the more typical examples of hate crimes in this Nation include the lynchings of African Americans, cross burnings to drive black families from predominantly white neighborhoods, assaults on homosexuals, and the painting of swastikas on Jewish synagogues.

What Is a Hate Crime?

For the purposes of this monograph, hate crimes, or bias-motivated crimes, are defined as offenses motivated by hatred against a victim based on his or her race, religion, sexual orientation, handicap, ethnicity, or national origin. While such a definition may make identifying a hate crime seem like a simple task, criminal acts motivated by bias can easily be confused with forms of expression protected by the U.S. Constitution.

What Makes Hate Crimes Different From Other Crimes?

The number of hate crimes may seem small when compared with the incidence of other types of crimes in the United States. In 1993, for example, 11 of the 24,526 murders reported in the United States were classified as hate crimes, as were 13 of the 104,806 reported rapes. But the simple truth about hate crimes is that each offense victimizes not one victim but many. A hate crime victimizes not only the immediate target but every member of the group that the immediate target represents. A bias-motivated offense can cause a broad ripple of discomfiture among members of a targeted group, and a violent hate crime can act like a virus, quickly spreading feelings of terror and loathing across an entire community. Apart from their psychological impacts, violent hate crimes can create tides of retaliation and counterretaliation. Therefore, criminal acts motivated by bias may carry far more weight than other types of criminal acts.

Causes and Characteristics of Hate Crimes

A host of factors may create a climate in which people, motivated by their biases, take criminal action. Such factors include poor or uncertain economic conditions, racial stereotypes in films and on television, hate-filled discourse on talk shows or in political advertisements, the use of racial code language such as "welfare mothers" and "inner city thugs," and an individual's personal experiences with members of particular minority groups. Once a climate of hate is created, a single incident—such as the videotaped beating of Los Angeles, California, motorist Rodney King—can trigger a wave of hate crimes.

Hate Crime Victims

African Americans, who constitute the single largest minority group in the Nation, are more likely to be targets of hate crimes than members of any other group. Of the nearly 8,000 hate crimes reported in 1995, almost 3,000 of them were motivated by bias against African Americans. Other typical victims are Jews, homosexuals, Muslims, and, increasingly, Asian Americans.

Hate Crime Perpetrators

Most hate crimes are committed not by members of an organized hate group but by individual citizens. Some perpetrators resent the growing economic power of a particular racial or ethnic group and engage in "scapegoating"; others react to a perceived threat to the safety and property value of their neighborhood. Still other offenders include "thrill seekers"—those who randomly target interchangeable representatives of minority groups for harassment and violence, and "mission offenders"—

those who believe they are on a mission to rid the world of some perceived evil. This last group accounts for a tiny percentage of bias-motivated offenders. The majority of offenders—and passive observers—are merely individuals who believe racial and ethnic stereotypes and act on spur-of-the-moment impulses. Frequently alcohol or drug use is a factor in the commission of hate crimes.

Are Hate Crimes Increasing?

Data Collection

The Hate Crime Statistics Act of 1990 (HCSA) directs the U.S. Attorney General to collect data from State and local law enforcement agencies about crimes that "manifest evidence of prejudice based upon race, religion, sexual orientation, or ethnicity." Submission of such data is voluntary. The Federal Bureau of Investigation's (FBI) Uniform Crime Report (UCR) Program is the Nation's central repository of hate crime statistics.

When the UCR issued its first report on hate crimes in January 1993, fewer than one in five of the Nation's law enforcement agencies were providing data on these crimes. As of October 1996, nearly 60 percent of the 16,000 law enforcement agencies that participated in the UCR were contributing hate crime data, and 19 States had enacted statutes that mandated hate crime data collection. More agencies are expected to provide data on hate crimes as States convert to the National Incident Based Reporting System (NIBRS), a new, more comprehensive crime reporting system that collects a variety of crime information, including whether a crime was motivated by bias and the demographic characteristics of both the victim and offender.

Hate Crime Trends

While there has been a concerted effort to establish a statistical baseline of hate crimes at the national level, uncertainty still exists about whether the "hate crime rate" is rising or falling. Nationally, the volume of hate crime incidents *seems* to have increased dramatically in 1992, stabilized and dipped during the following 2 years, then increased again in 1995. According to the FBI, State and local law enforcement agencies in 1991 reported 4,755 bias-motivated crimes, including 12 murders. The number of reported hate crimes rose to 7,466 incidents in 1992 and to 7,587 incidents in 1993. Reported hate crimes dropped nearly 30 percent to 5,852 incidents in 1994, then increased in 1995 to 7,947 incidents, including 20 murders (see figure A on page 7).

However, because many agencies do not submit hate crime data or have not recorded hate crime incidents, these statistics are suspect. If the number of incidents reported each year is compared with the number of agencies reporting, quite a different story emerges. The ratio of the number of

incidents per reporting agency peaked in 1991 and has been on a downward slide ever since, with a slight bump up in 1995 (see figure B on page 7).

As of October 1996, five States still did not collect hate crime data. Yet even if all States were reporting these incidents it would be difficult to gauge the level of the hate crime problem in this country because bias-motivated crimes typically are underreported by both law enforcement agencies *and* victims.

Disparities in Statistics

Since the first UCR on hate crimes was released for 1991, hate crime data from law enforcement agencies have differed significantly from those compiled by private organizations. One of the reasons for the disparity is that, while law enforcement agencies report only actual crimes, advocacy groups usually report all "incidents," even those that may not rise to the level of a criminal offense. Many police jurisdictions, especially those in rural areas, simply do not have the manpower, inclination, or technical expertise to record hate crimes, and other jurisdictions fear that admitting the existence of hate crimes will cause their communities cultural, political, and economic repercussions. Some private organizations, on the other hand, record *all* hate crime incidents, even unconfirmed reports from anonymous sources.

Why Some Victims Fail To Report Hate Crimes

Victims have a myriad of reasons for failing to report hate crimes. Homosexual victims may decide not to report hate crimes to police because of fears of reprisals or a belief that they will be forced "out of the closet." Such an "outing" may cause repercussions to their career and relationships with family and friends. Some victims have little confidence that authorities will bring the perpetrators to justice. Immigrant hate crime victims may not be proficient in English or may be undocumented aliens who fear that any contact with police will increase their risk of deportation. Other immigrants come from cultures that mistrust law enforcement agencies, or they believe that victims of bias-motivated crime are somehow stigmatized. Some victims refuse to report such crimes because they want to avoid the humiliation of recounting the event.

What Has Been Done To Combat Hate Crimes?

To prevent future tides of hate crimes, political leaders, law enforcement agencies, State and Federal agencies, and public interest groups have been working together to identify and track hate crimes and to mitigate the conditions that foster them.

Hate Crimes and the Law

Forty-seven jurisdictions across the United States have enacted some form of legislation designed to combat hate crimes. Thirty-nine States have enacted laws against bias-motivated violence and intimidation. Nineteen States have statutes that specifically mandate the collection of hate crime data. Meanwhile, dozens of law enforcement agencies have promulgated new policies and procedures to address hate crimes.

In two recent U.S. Supreme Court decisions, the Court upheld a hate crime penalty-enhancement statute but struck down an ordinance that criminalized "fighting words" uttered to provoke violence against individuals because of their "race, color, creed, religion, or gender."

Hate Crime Initiatives

In the past 4 years, Congress and the Justice Department have approved several new initiatives designed to combat hate crimes and violence. Several of these initiatives were included in the 1992 reauthorization of the Juvenile Justice and Delinquency Prevention Act, as amended. Among the measures was a requirement that each State's juvenile delinquency prevention plan include a component designed to combat hate crimes. Another requirement was that the Justice Department's Office of Juvenile Justice and Delinquency Prevention (OJJDP) conduct a national assessment of young persons who commit hate crimes.

The Justice Department's Community Relations Service (CRS), the only Federal agency that exists primarily to assist communities in addressing intergroup disputes, has played a unique role in helping to identify and prevent hate crimes. CRS has participated in HCSA training sessions for hundreds of law enforcement officials from dozens of police agencies across the Nation and has assisted schools and school districts in addressing racial tension and conflict through programs in peer mediation.

The newest and most innovative response to bias-motivated crimes is the formation of "hate crime response networks," which serve as information clearinghouses on rights and services. Massachusetts, California, and a few other States are working to set up such networks. The California Association of Official Human Relations Agencies, for example, is developing regional hate violence response networks in 10 regions in the State. The network is set up like a wheel with many spokes. At the hub is a human rights commission or other appropriate public agency or nonprofit organization that designates staff to coordinate the project or acts as a fiscal agent. A series of committees make up the "spokes," each representing a different focus area, such as community activities, criminal justice, schools, the media, and youth.

The Anti-Defamation League (ADL) has been involved in a number of youth intervention and hate crime education programs. In Massachusetts,

for example, ADL staffers from the organization's Boston regional office and the A World of Difference Institute worked with the State Attorney General's Office to develop the Youth Diversion Project, in which nonviolent youth offenders are diverted into alternative education and community service programs.

The Southern Poverty Law Center has a track record of bringing lawsuits against organizations whose members commit hate crimes on their behalf. In two recent cases, the center won judgments of $12.5 million and $7 million, respectively, against the White Aryan Resistance and the Ku Klux Klan for the deaths by beating and lynching of two African-American men. The center recently filed suit against a State Ku Klux Klan organization on behalf of an African-American church that was torched by a Klan member.

Hate crime response experts—including representatives from the ADL—are helping to develop a model curriculum for the Federal Law Enforcement Training Center to be used in the instruction of Federal, State, and local police officials. The National Gay and Lesbian Task Force (NGLTF), meanwhile, has provided staff support, literature, and technical assistance to community anti-violence projects as well as local gay and lesbian groups. The NGLTF also lobbies to have sexual orientation included in the lists of protected groups in State statutes and local ordinances. Beyond its routine support activities, the NGLTF intervenes in individual cases, keeps files on political candidates, and publishes a "score card" that rates a candidate's support or opposition to gay and lesbian rights issues.

Increasingly, religious groups are recognizing the need to promote racial and cultural tolerance. One example is the Racial Reconciliation Initiative, sponsored by the National Black Evangelical Association and the National Association of Evangelicals. Under the initiative, materials are disseminated that help Christians understand the source of conflicts between races.

What More Can Policymakers Do?

When law enforcement officers are trained to identify, respond to, and record hate crime incidents, more hate crimes actually are reported, responded to, and prosecuted. The investigation, prosecution, and punishment of especially notorious or high-profile hate crimes tends to promote even more reporting by victims and witnesses. If potential victims know a reporting system is in place and see a well-publicized case result in a stiff sentence for the perpetrators, they will be more likely to report a hate crime in the future and would-be perpetrators will be discouraged from acting on their impulses. Thus policymakers may want to focus on developing initiatives and strategies that promote training for law enforcement officers, prosecutors, and judges and new laws to ensure that all hate crimes are recorded and acted upon.

HATE CRIME IN CALIFORNIA

1998

California Department of Justice
Bill Lockyer, Attorney General
Division of Criminal Justice Information Services

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Click on 1998 Hate Crime Report

HIGHLIGHTS

Crime Data

In 1998,

- The Department of Justice received reports from 239 law enforcement agencies detailing 1,750 hate crime events. Included in these events were 1,801 offenses, 2,136 victims, and 1,985 known suspects.
- 64.8 percent of the events were motivated by the race/ethnicity of the victim.
- Violent crime accounted for 68.8 percent of known offenses.
- Most of the hate crimes occurred on a highway, road, alley, street, or sidewalk (25.3 percent) or at the home or residence of the victim (31.8 percent).

Prosecutorial Data

In 1998,

- There were a total of 244 hate crime complaints filed by the district attorneys and elected city attorneys.
- There were a total of 131 convictions.
- The conviction rate (131/244) was 53.7 percent.

HATE CRIME IN CALIFORNIA, 1998

Introduction

California Penal Code Section 13023 (Appendix 1) requires the Attorney General to submit an annual report to the Legislature regarding crimes motivated by the victim's race, ethnicity, religion, sexual orientation or physical or mental disability as reported by law enforcement agencies. Data collection began in the fall of 1994 after an orientation and training period. Agencies were requested to identify and submit all reports of bias motivated crime occurring on or after July 1, 1994, to the Department of Justice. In 1995, the Department of Justice published its first report covering data reported for July through December 1994. This is the fifth report and covers the period January 1 through December 31, 1998.

Since this is a relatively new program and long-term comparative information is not available, caution is advised in interpreting the data. As program participants gain experience in identifying, documenting, interpreting, aggregating and displaying the information, statistical data will become available that will provide a basis for annual trend analysis and policy development.

Background

In January 1986, the California Department of Justice (DOJ) submitted a report to the Legislature in response to Senate Bill 2080 (Watson). This report, entitled *Racial, Ethnic, and Religious Crime Project, Preliminary Steps to Establish Statewide Collection of Data*, recommended:

- The Department of Justice be designated as the appropriate state agency to implement and coordinate statewide bias-motivated crime data collection.
- Law enforcement agencies submit existing crime reports identified as bias motivated to the DOJ.
- Uniform definitions and guidelines be established to ensure reliable and consistent identification of bias motivated crimes.
- Adequate funding be provided for data collection and local law enforcement agency training.

Senate Bill 202 (Watson) was chaptered in 1989. The bill added Section 13023 to the Penal Code requiring the Attorney General, subject to the availability of funding, to begin collecting and reporting bias motivated crime information.

Background (continued)

The federal "Hate Crime Statistics Act," Public Law 101-275, which became law on April 23, 1990, required the United States Attorney General to collect bias motivated crime information. The FBI began collecting the data from volunteer agencies in 1991. Their first report was published in 1992.

After funding for the California program was obtained, agencies were notified by Information Bulletin 94-25-OMET, issued September 30, 1994, to begin reporting bias motivated crimes to the DOJ.

Information Bulletin 95-09-BCIA, issued March 24, 1995, requested California district attorneys to report information on complaints filed and convictions for bias motivated crimes on a standard form.

Methodology

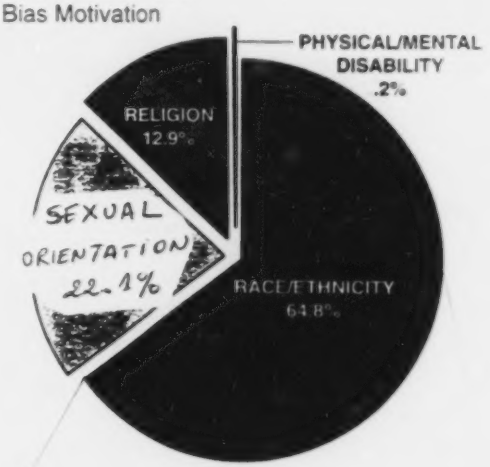
Following the recommendations in the 1986 report, the DOJ requires each law enforcement agency in the state to submit copies of bias-motivated crime reports on a monthly basis. To ensure relevancy to the subject matter, the DOJ requests that each agency establish a two-tier review process of possible bias-motivated incidents before reports are forwarded.

Reports received by the DOJ are reviewed by at least two members of the bias-motivated crime unit before the data are included in the aggregate reports. All crime reports that meet the bias motivated criteria are coded in a standard format by the DOJ staff. If the report is not complete or if it appears that the incident is not bias-motivated, the agency is notified.

In 1998, of 1,750 reported hate crime events:

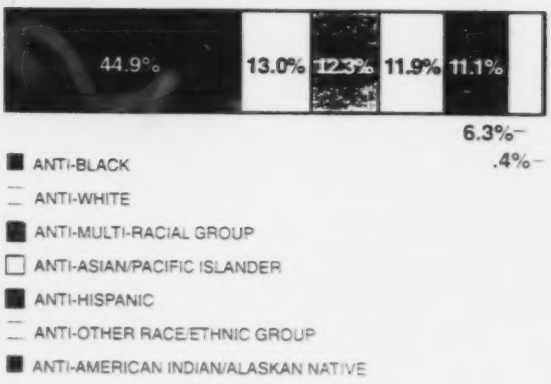
- 64.8 percent (1,134) were motivated by the race/ethnicity of the victim.
- 22.1 percent (387) were motivated by the sexual orientation of the victim.
- 12.9 percent (226) were motivated by the religion of the victim.
- .2 percent (3) were motivated by the physical/mental disability of the victim.

Chart 1
HATE CRIMES, 1998
By Bias Motivation



In 1998, of the 1,134 events motivated by the race/ethnicity of the victim:

- 44.9 percent were anti-black.
- 13.0 percent were anti-white.
- 12.3 percent were anti-multi-racial group.
- 11.9 percent were anti-Asian/Pacific Islander.
- 11.1 percent were anti-Hispanic.
- 6.3 percent were anti-other race/ethnic group.
- .4 percent were anti-American Indian/Alaskan native.



Source: Table 1.

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Table 1
HATE CRIMES, 1998
Events, Offenses, Victims, and Known Suspects by Bias Motivation

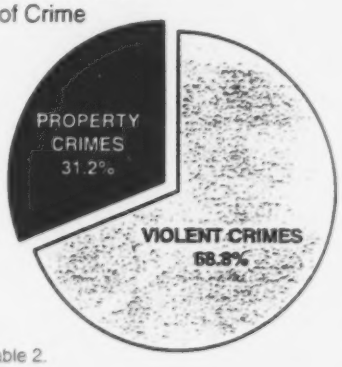
Bias motivation	Events		Offenses		Victims		Known suspects	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	1,750	100.0	1,801	100.0	2,136	100.0	1,985	100.0
Race/ethnicity	1,134	64.8	1,172	65.1	1,414	66.2	1,364	68.7
Anti-white	147	8.4	153	8.5	177	8.3	247	12.4
Anti-black	509	29.1	525	29.2	621	29.1	661	33.3
Anti-Hispanic	126	7.2	129	7.2	157	7.4	183	9.2
Anti-American Indian/ Alaskan native	5	.3	5	.3	5	.2	13	.7
Anti-Asian/Pacific Islander	135	7.7	141	7.8	180	8.4	109	5.5
Anti-multi-racial group	140	8.0	142	7.9	187	8.8	73	3.7
Anti-other race/ethnic group	72	4.1	77	4.3	87	4.1	78	3.9
Religion	226	12.9	227	12.6	246	11.5	95	4.8
Anti-Jewish	176	10.1	177	9.8	192	9.0	75	3.8
Anti-Catholic	13	.7	13	.7	13	.6	3	.2
Anti-Protestant	14	.8	14	.8	14	.7	3	.2
Anti-Islamic	4	.2	4	.2	5	.2	5	.3
Anti-other religion	17	1.0	17	.9	20	.9	9	.5
Anti-multi-religious group	2	.1	2	.1	2	.1	0	.0
Anti-atheism/agnosticism/etc	0	.0	0	.0	0	.0	0	.0
Sexual orientation	387	22.1	399	22.2	472	22.1	520	26.2
Anti-male homosexual	307	17.5	317	17.6	376	17.6	447	22.5
Anti-female homosexual	58	3.3	60	3.3	69	3.2	66	3.3
Anti-homosexual	21	1.2	21	1.2	25	1.2	6	.3
Anti-heterosexual	1	.1	1	.1	2	.1	1	.1
Anti-bisexual	0	.0	0	.0	0	.0	0	.0
Physical/mental disability	3	.2	3	.2	4	.2	6	.3
Physical disability	3	.2	3	.2	4	.2	6	.3
Mental disability	0	.0	0	.0	0	.0	0	.0

Note: Percents may not add to subtotals or to 100.0 because of independent rounding.

In 1998, of 1,750 reported hate crime events:

- Violent crimes accounted for 68.8 percent (1,204).
- Property crimes accounted for 31.2 percent (546).

Chart 2
HATE CRIMES, 1998
By Type of Crime

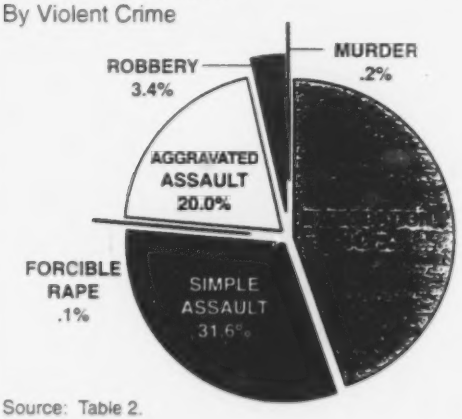


Source: Table 2.

In 1998, of the 1,204 violent crimes:

- 44.7 percent involved intimidation.
- 31.6 percent involved simple assault.
- 20.0 percent involved aggravated assault.
- 3.4 percent involved robbery.
- .2 percent involved murder.
- .1 percent involved forcible rape.

Chart 3
HATE CRIMES, 1998
By Violent Crime

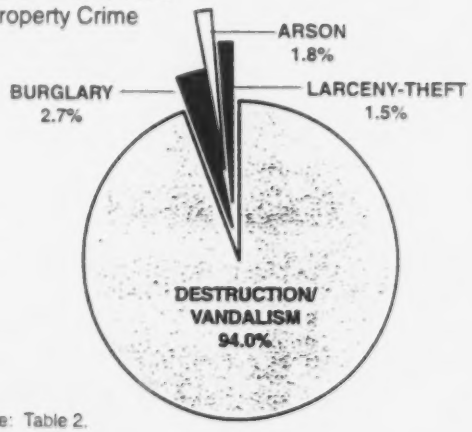


Source: Table 2.

In 1998, of the 546 property crimes:

- 94.0 percent involved destruction/ vandalism.
- 2.7 percent involved burglary.
- 1.8 percent involved arson.
- 1.5 percent invovled larceny-theft.

Chart 4
HATE CRIMES, 1998
By Property Crime



Source: Table 2.

Table 2
HATE CRIMES, 1998
Events, Offenses, Victims, and Known Suspects by Type of Offense

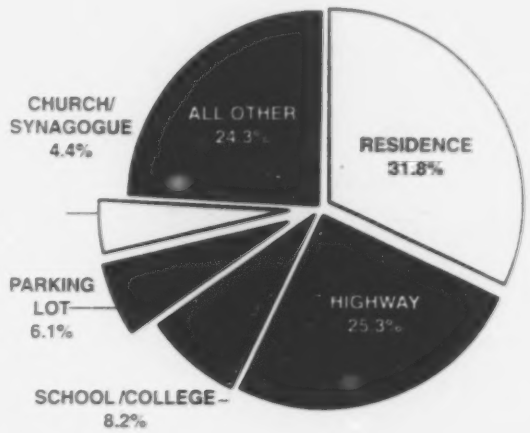
Type of crime	Events		Offenses		Victims		Known suspects	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	1,750	100.0	1,801	100.0	2,136	100.0	1,985	100.0
Violent crimes	1,204	68.8	1,232	68.4	1,517	71.0	1,795	90.4
Murder	2	.1	2	.1	2	.1	2	.1
Forcible rape	1	.1	1	.1	1	.0	1	.1
Robbery	41	2.3	41	2.3	50	2.3	90	4.5
Aggravated assault	241	13.8	246	13.7	324	15.2	558	28.1
Simple assault	381	21.8	385	21.4	469	22.0	689	34.7
Intimidation	538	30.7	557	30.9	671	31.4	455	22.9
Property crimes	546	31.2	569	31.6	619	29.0	190	9.6
Burglary	15	.9	15	.8	18	.8	6	.3
Larceny-theft	8	.5	9	.5	8	.4	13	.7
Motor vehicle theft	0	.0	0	.0	0	.0	0	.0
Arson	10	.6	10	.6	11	.5	2	.1
Destruction/vandalism	513	29.3	535	29.7	582	27.2	169	8.5

Note: Percents may not add to subtotals or to 100.0 because of independent rounding.

In 1998, of 1,750 reported hate crime events:

- 31.8 percent (556) occurred at the victim's home or another residence.
- 25.3 percent (442) occurred on a highway, road, alley, street, or sidewalk.
- 8.2 percent (144) occurred on a school or campus property.
- 6.1 percent (106) occurred in a parking lot.
- 4.4 percent (77) occurred at a church, synagogue, or temple center.
- 24.3 percent (425) occurred in other locations not displayed in Chart 5 but listed in Table 3.

Chart 5
HATE CRIMES, 1997
By Location



Source: Table 3.
Note: "All Other" includes categories that are not displayed in Chart 5 but are listed in Table 3.

Table 3
HATE CRIMES, 1998
Events, Offenses, Victims, and Known Suspects by Location

Location	Events		Offenses		Victims		Known suspects	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	1,750	100.0	1,801	100.0	2,136	100.0	1,985	100.0
Air/bus/train terminal	44	2.5	46	2.6	60	2.8	69	3.5
Bank/savings and loan	3	.2	3	.2	3	.1	2	.1
Bar/night club	30	1.7	33	1.8	40	1.9	59	3.0
Church/synagogue/temple	77	4.4	77	4.3	80	3.7	24	1.2
Commercial/office building	48	2.7	48	2.7	53	2.5	33	1.7
Construction site	7	.4	7	.4	7	.3	6	.3
Convenience store	13	.7	13	.7	17	.8	32	1.6
Department/discount store	7	.4	7	.4	8	.4	8	.4
Drug store/Dr.'s office/hospital	21	1.2	21	1.2	23	1.1	16	.8
Field/woods	34	1.9	36	2.0	56	2.6	54	2.7
Government/public building	20	1.1	20	1.1	21	1.0	16	.8
Grocery/supermarket	18	1.0	18	1.0	20	.9	18	.9
Highway/road/alley/street	442	25.3	458	25.4	543	25.4	809	40.8
Hotel/motel/etc	7	.4	7	.4	9	.4	6	.3
Jail/prison	10	.6	10	.6	15	.7	12	.6
Lake/waterway	4	.2	4	.2	4	.2	8	.4
Liquor store	4	.2	5	.3	5	.2	4	.2
Parking lot/garage	106	6.1	110	6.1	132	6.2	118	5.9
Rental storage facility	0	.0	0	.0	0	.0	0	.0
Residence/home	556	31.8	569	31.6	669	31.3	401	20.2
Restaurant	40	2.3	41	2.3	55	2.6	64	3.2
School/college	144	8.2	148	8.2	177	8.3	127	6.4
Service/gas station	15	.9	15	.8	17	.8	28	1.4
Specialty store (TV, fur, etc.)	30	1.7	31	1.7	41	1.9	18	.9
Other	70	4.0	74	4.1	81	3.8	53	2.7

Note: Percents may not add to 100.0 because of independent rounding.

Table 4
HATE CRIMES, 1998
Victim Type by Bias Motivation

Bias motivation	Total[1]		Individual		Business/ financial institution[2]		Government[2]		Religious organization[2]		Society/ public[2]		Other[2]	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	2,136	100.0	2,026	100.0	28	100.0	4	100.0	30	100.0	46	100.0	2	100.0
Race/ethnicity	1,414	66.2	1,348	66.5	19	-	3	-	3	-	41	-	0	-
Anti-white	177	8.3	176	8.7	0	-	1	-	0	-	0	-	0	-
Anti-black	621	29.1	603	29.8	5	-	1	-	0	-	12	-	0	-
Anti-Hispanic	157	7.4	157	7.7	0	-	0	-	0	-	0	-	0	-
Anti-American Indian/ Alaskan native	5	.2	5	.2	0	-	0	-	0	-	0	-	0	-
Anti-Asian/Pacific islander	180	8.4	176	8.7	2	-	0	-	1	-	1	-	0	-
Anti-multi-racial group	187	8.8	146	7.2	12	-	1	-	1	-	27	-	0	-
Anti-other race/ethnic group	87	4.1	85	4.2	0	-	0	-	1	-	1	-	0	-
Religion	246	11.5	213	10.5	5	-	0	-	26	-	2	-	0	-
Anti-Jewish	192	9.0	179	8.8	5	-	0	-	6	-	2	-	0	-
Anti-Catholic	13	.6	8	.4	0	-	0	-	5	-	0	-	0	-
Anti-Protestant	14	.7	8	.4	0	-	0	-	6	-	0	-	0	-
Anti-Islamic (Mosiem)	5	.2	5	.2	0	-	0	-	0	-	0	-	0	-
Anti-other religion	20	.9	11	.5	0	-	0	-	9	-	0	-	0	-
Anti-multi-religious group	2	.1	2	.1	0	-	0	-	0	-	0	-	0	-
Anti-atheism/agnosticism/etc	0	.0	0	.0	0	-	0	-	0	-	0	-	0	-
Sexual orientation	472	22.1	461	22.8	4	-	1	-	1	-	3	-	2	-
Anti-male homosexual	376	17.6	371	18.3	4	-	1	-	0	-	0	-	0	-
Anti-female homosexual	69	3.2	67	3.3	0	-	0	-	0	-	1	-	1	-
Anti-homosexual	25	1.2	21	1.0	0	-	0	-	1	-	2	-	1	-
Anti-heterosexual	2	.1	2	.1	0	-	0	-	0	-	0	-	0	-
Anti-bisexual	0	.0	0	.0	0	-	0	-	0	-	0	-	0	-
Physical/mental disability	4	.2	4	.2	0	-	0	-	0	-	0	-	0	-
Physical disability	4	.2	4	.2	0	-	0	-	0	-	0	-	0	-
Mental disability	0	.0	0	.0	0	-	0	-	0	-	0	-	0	-

Notes: Percents may not add to subtotals or 100.0 because of independent rounding.
Dash indicates that percent distributions are not calculated when the base number is less than 50.
[1]Numbers represent total number of victims (i.e., entities and individuals), not the number of hate crime events.
[2]Numbers represent acts directed at entities other than individuals.

In 1998, of 2,136 victims of hate crimes:

- Most (2,026) were individuals. Of these,
  - 66.5 percent (1,348 individuals) were victims because of their race/ethnicity.
  - 10.5 percent (213 individuals) were victims because of their religion.
  - 22.8 percent (461 individuals) were victims because of their sexual orientation.
  - .2 percent (4 individuals) were victims because of their physical/mental disability.

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Table 5
HATE CRIMES, 1998
Victim Type by Type of Offense

Type of crime	Total[1]		Individual		Business/ financial institution[2]		Government[2]		Religious organization[2]		Society/ public[2]		Other[2]	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	2,136	100.0	2,026	100.0	28	100.0	4	100.0	30	100.0	46	100.0	2	100.0
Violent crimes	1,517	71.0	1,517	74.9	0	-	0	-	0	-	0	-	0	-
Murder	2	.1	2	.1	0	-	0	-	0	-	0	-	0	-
Forcible rape	1	.0	1	.0	0	-	0	-	0	-	0	-	0	-
Robbery	50	2.3	50	2.5	0	-	0	-	0	-	0	-	0	-
Aggravated assault	324	15.2	324	16.0	0	-	0	-	0	-	0	-	0	-
Simple assault	469	22.0	469	23.1	0	-	0	-	0	-	0	-	0	-
Intimidation	671	31.4	671	33.1	0	-	0	-	0	-	0	-	0	-
Property crimes	619	29.0	509	25.1	28	-	4	-	30	-	46	-	2	-
Burglary	18	.8	15	.7	2	-	0	-	1	-	0	-	0	-
Larceny-theft	8	.4	8	.4	0	-	0	-	0	-	0	-	0	-
Motor vehicle theft	0	.0	0	.0	0	-	0	-	0	-	0	-	0	-
Arson	11	.5	9	.4	1	-	0	-	0	-	1	-	0	-
Destruction/vandalism	582	27.2	477	23.5	25	-	4	-	29	-	45	-	2	-

Notes: Percents may not add to subtotals or 100.0 because of independent rounding.
Dash indicates that percent distributions are not calculated when the base number is less than 50.
[1]Numbers represent total number of victims (i.e., entities and individuals), not the number of hate crime events.
[2]Numbers represent acts directed at entities other than individuals.

In 1998, of 2,136 victims of hate crimes:

- Most (2,026) were individuals. Of these,
  - Violent crimes against the individual accounted for 74.9 percent (1,517).
  - Crimes against property accounted for 25.1 percent (509).
    - 28 business/financial institutions were targeted.
    - 30 religious organizations were targeted.

Table 6
HATE CRIMES, 1998
Victim Type by Location

Location	Total[1]		Individual		Business/ financial institution[2]		Government[2]		Religious organization[2]		Society/ public[2]		Other[2]	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	2,136	100.0	2,026	100.0	28	100.0	4	100.0	30	100.0	46	100.0	2	100.0
Air/bus/train terminal	60	2.8	60	3.0	0	-	0	-	0	-	0	-	0	-
Bank/savings and loan	3	.1	3	.1	0	-	0	-	0	-	0	-	0	-
Bar/night club	40	1.9	40	2.0	0	-	0	-	0	-	0	-	0	-
Church/synagogue/temple	80	3.7	50	2.5	0	-	0	-	30	-	0	-	0	-
Commercial/office building	53	2.5	48	2.4	4	-	0	-	0	-	0	-	1	-
Construction site	7	.3	7	.3	0	-	0	-	0	-	0	-	0	-
Convenience store	17	.8	17	.8	0	-	0	-	0	-	0	-	0	-
Department/discount store	8	.4	8	.4	0	-	0	-	0	-	0	-	0	-
Drug store/Dr.'s office/hospital	23	1.1	22	1.1	1	-	0	-	0	-	0	-	0	-
Field/woods	56	2.6	46	2.3	0	-	1	-	0	-	9	-	0	-
Government/public building	21	1.0	17	.8	0	-	2	-	0	-	2	-	0	-
Grocery/supermarket	20	.9	19	.9	1	-	0	-	0	-	0	-	0	-
Highway/road/alley/street	543	25.4	537	26.5	0	-	0	-	0	-	6	-	0	-
Hotel/motel/etc.	9	.4	8	.4	1	-	0	-	0	-	0	-	0	-
Jail/prison	15	.7	15	.7	0	-	0	-	0	-	0	-	0	-
Lake/waterway	4	.2	3	.1	0	-	1	-	0	-	0	-	0	-
Liquor store	5	.2	5	.2	0	-	0	-	0	-	0	-	0	-
Parking lot/garage	132	6.2	131	6.5	0	-	0	-	0	-	1	-	0	-
Rental storage facility	0	0	0	.0	0	-	0	-	0	-	0	-	0	-
Residence/home	669	31.3	669	33.0	0	-	0	-	0	-	0	-	0	-
Restaurant	55	2.6	55	2.7	0	-	0	-	0	-	0	-	0	-
School/college	177	8.3	150	7.4	0	-	0	-	0	-	27	-	0	-
Service/gas station	17	.8	17	.8	0	-	0	-	0	-	0	-	0	-
Specialty store (TV, fur, etc.)	41	1.9	28	1.4	13	-	0	-	0	-	0	-	0	-
Other	81	3.8	71	3.5	8	-	0	-	0	-	1	-	1	-

Notes: Percents may not add to 100.0 because of independent rounding.
Dash indicates that percent distributions are not calculated when the base number is less than 50.
[1]Numbers represent total number of victims (i.e., entities and individuals), not the number of hate crime events.
[2]Numbers represent acts directed at entities other than individuals.

In 1998, of 2,136 victims of hate crimes:

- Most (2,026) were individuals. Of these,
  - 26.5 percent (537) became victims on highways, roads, alleys, or streets.
  - 33.0 percent (669) became victims at their homes or other residences.

Table 7

HATE CRIMES, 1998

Events, Offenses, Victims, and Known Suspects by County and Jurisdiction

County and jurisdiction	Events	Offenses	Victims	Known suspects
Total	1,750	1,801	2,136	1,985
Alameda County	52	53	64	52
Alameda	5	5	5	3
Berkeley	5	5	6	9
Fremont	7	7	8	1
Hayward	6	7	7	7
Livermore	4	4	6	17
Newark	2	2	3	1
Oakland	14	14	16	12
San Leandro	2	2	4	1
Union City	5	5	7	1
CSU Hayward	1	1	1	0
U C Berkeley	1	1	1	0
Alpine County	0	0	0	0
Amador County	0	0	0	0
Butte County	2	3	2	6
Oroville	2	3	2	6
Calaveras County	1	1	2	3
Sheriff's Dept	1	1	2	3
Colusa County	0	0	0	0
Contra Costa County	54	56	67	64
Sheriff's Dept	7	7	7	9
Antioch	6	6	8	7
Clayton	1	1	2	1
Concord	11	12	15	18
El Cerrito	2	2	2	3
Martinez	4	4	7	8
Pittsburg	1	1	1	2
Pleasant Hill	4	4	5	4
Richmond	9	9	9	5
Walnut Creek	7	8	9	4
Contra Costa Bart	2	2	2	3
Del Norte County	0	0	0	0
El Dorado County	2	2	2	2
Placerville	2	2	2	2
Fresno County	22	22	33	39
Clovis	5	5	12	8
Fresno	17	17	21	31
Glenn County	0	0	0	0
Humboldt County	8	8	8	5
Arcata	3	3	3	3
Eureka	1	1	1	1
CSU Humboldt	4	4	4	1
Imperial County	1	1	1	1
Calipatria	1	1	1	1
Inyo County	0	0	0	0
Kern County	24	24	24	30
Sheriff's Dept	14	14	14	22
Bakersfield	7	7	7	4
Ridgecrest	2	2	2	2

(continued)

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Table 7 - continued
HATE CRIMES, 1998
Events, Offenses, Victims, and Known Suspects
by County and Jurisdiction

County and jurisdiction	Events	Offenses	Victims	Known suspects
CSU Bakersfield	1	1	1	2
Kings County	0	0	0	0
Lake County	3	3	4	2
Sheriff's Dept.	1	1	2	1
Lakeport	2	2	2	1
Lassen County	3	3	3	0
Susanville	3	3	3	0
Los Angeles County	660	668	779	681
Sheriff's Dept.[1]	89	92	110	88
Unincorporated[2]	25	26	34	35
Agoura Hills[3]	2	2	2	1
Artesia[3]	2	2	3	2
Bellflower[3]	6	6	9	3
Calabasas[3]	2	2	2	1
Carson[3]	2	2	2	0
Commerce[3]	2	2	2	0
City of Diamond Bar[3]	3	3	3	0
Cerritos[3]	6	6	7	4
Hawaiian Gardens[3]	2	2	3	4
Lakewood[3]	4	4	6	6
Lancaster[3]	8	8	8	5
Lynwood[3]	3	3	3	3
Los Angeles Co. (MTA)[3]	1	1	3	2
Malibu[3]	1	1	1	0
Norwalk[3]	1	1	1	0
Palmdale[3]	3	3	3	6
Paramount[3]	1	1	1	0
Pico Rivera[3]	1	1	1	2
Santa Clarita[3]	2	2	2	1
South EL Monte[3]	1	2	1	4
West Lake Village[3]	1	1	1	0
West Hollywood[3]	10	11	12	9
Alhambra	5	5	6	2
Arcadia	7	7	11	9
Azusa	5	5	7	11
Baldwin Park	3	4	4	11
Beverly Hills	7	7	7	1
Burbank	5	5	17	0
Claremont	7	7	8	2
Covina	4	4	4	1
Downey	4	4	6	3
El Monte	8	8	14	17
El Segundo	4	4	5	3
Glendale	5	5	6	3
Glendora	1	1	2	1
Hawthorne	2	2	2	2
Huntington Park	1	1	2	0
Inglewood	1	1	1	1
Long Beach	39	40	48	61
Los Angeles	404	406	453	415
Manhattan Beach	1	1	1	1
Monrovia	5	5	8	3
Montebello	1	1	1	1
Pasadena	7	7	7	4
Pomona	5	5	5	3

(continued)

Table 7 - continued

HATE CRIMES, 1998

Events, Offenses, Victims, and Known Suspects by County and Jurisdiction

County and jurisdiction	Events	Offenses	Victims	Known suspects
Redondo Beach	9	10	10	12
San Gabriel	4	4	4	10
Santa Monica	4	4	4	7
Torrance	3	3	3	2
West Covina	2	2	2	1
Cal Poly Pomona	3	3	4	0
CSU Long Beach	3	3	5	2
CSU Los Angeles	6	6	6	3
UC Los Angeles	6	6	6	1
Madera County	2	2	2	3
Chowchilla	1	1	1	2
Madera PD	1	1	1	1
Marin County	25	25	30	14
Novato	23	23	27	12
San Rafael	2	2	3	2
Mariposa County	0	0	0	0
Mendocino County	1	1	1	0
Fort Bragg	1	1	1	0
Merced County	0	0	0	0
Modoc County	0	0	0	0
Mono County	1	1	1	5
Mammoth Lakes	1	1	1	5
Monterey County	2	2	2	0
Salinas	2	2	2	0
Napa County	0	0	0	0
Nevada County	0	0	0	0
Orange County	80	83	114	81
Sheriff's Dept	7	7	11	3
Anaheim	2	2	2	1
Buena Park	2	2	2	3
Cypress	7	8	9	7
Garden Grove	13	13	22	9
Huntington Beach	5	7	10	11
Irvine	2	2	2	1
Laguna Beach	7	7	9	5
Laguna Hills[4]	1	1	1	0
Laguna Niguel[4]	3	3	3	7
Lake Forest[4]	3	3	6	6
La Habra	2	2	2	0
La Palma	1	1	4	1
Mission Viejo[4]	3	3	4	2
Orange	11	11	13	9
Placentia	2	2	2	3
San Clemente[4]	2	2	2	4
San Juan Capistrano[4]	2	2	2	0
Stanton[4]	1	1	1	2
Westminster	3	3	6	5
UC Irvine	1	1	1	2
Placer County	3	3	5	1

(continued)

Table 7 - continued
HATE CRIMES, 1998
Events, Offenses, Victims, and Known Suspects
by County and Jurisdiction

County and jurisdiction	Events	Offenses	Victims	Known suspects
Sheriff's Dept.	2	2	2	0
Roseville	1	1	3	1
Plumas County	0	0	0	0
Riverside County	47	48	62	68
Sheriff's Dept.	9	9	12	8
Cathedral City	1	1	1	1
Corona	3	3	5	3
Hemet	2	2	3	2
La Quinta[5]	1	1	1	2
Murrieta	1	2	1	0
Moreno Valley[5]	1	1	1	0
Norco[5]	2	2	2	1
Palm Springs	4	4	7	7
Perris[5]	1	1	1	0
Riverside	21	21	27	44
UC Riverside	1	1	1	0
Sacramento County	58	62	70	85
Sheriff's Dept.	19	22	23	21
Folsom	1	1	1	0
Sacramento	37	38	45	63
UC Med Cntr Sacramento	1	1	1	1
San Benito County	1	1	1	0
Hollister	1	1	1	0
San Bernardino County	19	23	25	36
Sheriff's Dept.	2	2	3	8
Colton	1	1	1	3
Fontana	5	8	6	4
Hesperia[6]	1	1	1	6
Montclair	1	1	2	1
Ontario	1	1	2	2
Rancho Cucamonga[6]	1	1	1	0
Redlands	1	1	2	4
San Bernardino	5	6	6	8
Victorville[6]	1	1	1	0
San Diego County	196	201	240	213
Sheriff's Dept.	24	26	29	25
Carlsbad	1	1	1	1
Chula Vista	1	1	1	0
City of Encinitas[7]	3	3	4	3
City of Imperial Beach[7]	3	3	5	2
City of Lemon Grove[7]	2	2	2	2
City of Poway[7]	7	7	8	6
City of Santee[7]	6	6	6	9
City of Solano Beach[7]	4	4	4	2
City of Vista[7]	7	9	8	14
Coronado	1	1	1	0
El Cajon	3	3	3	13
Escondido	5	5	6	4
National City	2	2	2	2
Oceanside	17	17	18	11
San Diego	106	107	138	117
San Diego Harbor	1	1	1	2
CSU San Diego	1	1	1	0
CSU San Marcos	1	1	1	0
UC San Diego	1	1	1	0

(continued)

Table 7 - continued
HATE CRIMES, 1998
Events, Offenses, Victims, and Known Suspects
by County and Jurisdiction

County and jurisdiction	Events	Offenses	Victims	Known suspects
San Francisco County	223	234	278	312
San Francisco	218	229	273	310
CSU San Francisco	2	2	2	0
UC San Francisco	3	3	3	2
San Joaquin County	23	23	23	20
Lodi	1	1	1	2
Manteca	2	2	2	0
Ripon	2	2	2	2
Stockton	15	15	15	10
Stockton Unified Schl Dist.	3	3	3	6
San Luis Obispo County	7	8	8	18
Grover Beach	1	1	1	1
Morro Bay	1	2	1	1
Pismo Beach	1	1	1	10
San Luis Obispo	4	4	5	6
San Mateo County	15	16	18	8
Burlingame	2	2	2	1
Daly City	1	1	2	0
Foster City	1	1	2	1
Millbrae	1	1	1	0
Pacifica	3	3	3	1
San Bruno	1	1	1	0
San Carlos	2	3	3	3
San Mateo	4	4	4	2
Santa Barbara County	7	7	8	12
Lompoc	1	1	1	0
Santa Barbara	5	5	6	11
Santa Maria	1	1	1	1
Santa Clara County	62	66	86	76
Sheriff's Dept.	5	7	5	6
Campbell	1	1	1	0
Los Altos Hills[5]	1	1	1	1
Los Gatos	2	2	3	3
Milpitas	1	1	1	0
Palo Alto	4	4	4	3
San Jose	43	44	66	51
Saratoga[5]	1	1	1	7
Sunnyvale	2	2	2	2
Santa Clara Transit Dist.[6]	2	3	2	3
Santa Cruz County	11	12	13	7
Sheriff's Dept.	1	1	1	1
Santa Cruz	6	6	8	6
Scotts Valley	2	3	2	0
UC Santa Cruz	2	2	2	0
Shasta County	11	11	15	29
Sheriff's Dept.	9	9	10	24
Redding	1	1	2	3
Anderson	1	1	3	2
Sierra County	0	0	0	0
Siskiyou County	1	1	1	1
Yreka	1	1	1	1
Solano County	12	12	12	9
Benicia	3	3	3	0
Fairfield	3	3	3	0
Vacaville	1	1	1	1
Vallejo	5	5	5	8

(continued)

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Table 7 - continued
HATE CRIMES, 1998
Events, Offenses, Victims, and Known Suspects
by County and Jurisdiction

County and jurisdiction	Events	Offenses	Victims	Known suspects
Sonoma County	41	42	50	26
Sheriff's Dept.	15	16	17	7
Petaluma	1	1	1	0
Rohnert Park	13	13	19	13
Santa Rosa	10	10	11	6
CSU Sonoma	2	2	2	0
Stanislaus County	12	13	14	12
Sheriff's Dept.	4	4	5	3
Modesto	7	8	8	9
Oakdale	1	1	1	0
Sutter County	1	1	1	1
Yuba City	1	1	1	1
Tehama County	2	2	2	0
Red Bluff	2	2	2	0
Trinity County	0	0	0	0
Tulare County	5	5	5	8
Porterville	4	4	4	7
Tulare	1	1	1	1
Tuolumne County	0	0	0	0
Ventura County	38	40	42	43
Sheriff's Dept.	6	6	7	7
Camarillo[5]	6	6	6	0
Fillmore[5]	1	1	1	4
Moorpark[5]	1	1	1	0
Oxnard	1	1	1	0
Simi Valley	4	4	4	0
Thousand Oaks[5]	2	2	2	0
Ventura	17	19	20	32
Yolo County	11	11	15	8
Davis	6	6	9	6
Woodland	3	3	4	2
UC Davis	2	2	2	0
Yuba County	1	1	3	4
Yuba	1	1	3	4

[1] Includes unincorporated and contracts.
[4] "Unincorporated" patrolled by Los Angeles County Sheriff's Department.
[4] Contracts with Los Angeles County Sheriff's Department.
[5] Contracts with Orange County Sheriff's Department.
[6] Contracts with Riverside County Sheriff's Department.
[7] Contracts with San Bernardino County Sheriff's Department.
[8] Contracts with San Diego County Sheriff's Department.
[9] Contracts with Santa Clara County Sheriff's Department.
[5] Contracts with Ventura County Sheriff's Department.

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Table 8
HATE CRIMES, 1995-1998
Events by Bias Motivation

Bias motivation	1995		1996		1997		1998		Percent change
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	1995 - 1998
Total	1,754	100.0	2,054	100.0	1,831	100.0	1,750	100.0	-.2
Race/ethnicity	1,215	69.3	1,463	71.2	1,230	67.2	1,134	64.8	-6.7
Anti-white	193	11.0	220	10.7	147	8.0	147	8.4	-23.8
Anti-black	567	32.3	759	37.0	629	34.4	509	29.1	-10.2
Anti-Hispanic	158	9.0	167	8.1	141	7.7	126	7.2	-20.3
Anti-American Indian/ Alaskan native	1	.1	5	.2	2	.1	5	.3	-
Anti-Asian/Pacific Islander	142	8.1	153	7.4	160	8.7	135	7.7	-4.9
Anti-multi-racial group	81	4.6	69	3.4	73	4.0	140	8.0	72.8
Anti-other race/ethnic group	73	4.2	90	4.4	78	4.3	72	4.1	-1.4
Religion	219	12.5	227	11.1	242	13.2	226	12.9	3.2
Anti-Jewish	174	9.9	166	8.1	212	11.6	176	10.1	1.1
Anti-Catholic	4	.2	5	.2	0	.0	13	.7	-
Anti-Protestant	8	.5	33	1.6	21	1.1	14	.8	-
Anti-Islamic	8	.5	9	.4	1	.1	4	.2	-
Anti-other religion	18	1.0	11	.5	6	.3	17	1.0	-
Anti-multi-religious group	7	.4	3	.1	1	.1	2	.1	-
Anti-atheism/agnosticism/etc.	0	.0	0	.0	1	.1	0	.0	-
Sexual orientation	317	18.1	362	17.6	357	19.5	387	22.1	22.1
Anti-male homosexual	251	14.3	306	14.9	284	15.5	307	17.5	22.3
Anti-female homosexual	50	2.9	45	2.2	57	3.1	58	3.3	16.0
Anti-homosexual	14	.8	7	.3	15	.8	21	1.2	-
Anti-heterosexual	1	.1	1	.0	1	.1	1	.1	-
Anti-bisexual	1	.1	3	.1	0	.0	0	.0	-
Physical/mental disability	3	.2	2	.1	2	.1	3	.2	-
Physical disability	0	.0	1	.0	2	.1	3	.2	-
Mental disability	3	.2	1	.0	0	.0	0	.0	-

Source: California Department of Justice, Hate Crime Statistical System.
Notes: Data resulting from new reporting programs should be collected for several years in order that statistical data can be properly analyzed. Because of this, the Department of Justice recommends caution when comparing these annual data.
Percents may not add to subtotals or to 100.0 because of independent rounding.
Dash indicates that percent changes are not calculated when the base number is less than 50.

A Cautionary Note

Data resulting from new reporting programs should be collected for several years in order that statistical data can be properly analyzed. Because of this, the DOJ does not recommend comparing these data with previously published data. In addition, the DOJ believes that the data may be underreported. Future reporting will improve as law enforcement personnel are trained to identify, investigate, and report hate crimes.

A number of additional factors can influence the volume of hate crime reported to the DOJ. These are:

- Efforts of community groups and law enforcement hate crime networks to identify and report hate crime to appropriate authorities.
- Cultural practices and likeliness of reporting hate crime.
- Strength and investigative emphasis of law enforcement agencies.
- Policies of law enforcement and prosecutorial agencies.
- Community policing policies.

Table 9
HATE CRIMES, 1995-1998
Events by Type of Crime

Type of crime	1995		1996		1997		1998		Percent change
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	1995 - 1998
Total	1,754	100.0	2,054	100.0	1,831	100.0	1,750	100.0	-.2
Violent crimes	1,370	78.1	1,551	75.5	1,352	73.8	1,204	68.8	-12.1
Murder	3	.2	4	.2	3	.2	2	.1	-
Forcible rape	2	.1	2	.1	1	.1	1	.1	-
Robbery	86	4.9	59	2.9	52	2.8	41	2.3	-52.3
Aggravated assault	273	15.6	381	18.5	317	17.3	241	13.8	-11.7
Simple assault	324	18.5	393	19.1	352	19.2	381	21.8	17.6
Intimidation	682	38.9	712	34.7	627	34.2	538	30.7	-21.1
Property crimes	384	21.9	503	24.5	479	26.2	546	31.2	42.2
Burglary	30	1.7	43	2.1	22	1.2	15	.9	-
Larceny-theft	7	.4	14	.7	14	.8	8	.5	-
Motor vehicle theft	0	.0	1	.0	1	.1	0	.0	-
Arson	16	.9	17	.8	18	1.0	10	.6	-
Destruction/vandalism	331	18.9	428	20.8	424	23.2	513	29.3	55.0

Source: California Department of Justice, Hate Crime Statistical System.
Notes: Data resulting from new reporting programs should be collected for several years in order that statistical data can be properly analyzed. Because of this, the Department of Justice recommends caution when comparing these annual data.
Percents may not add to subtotals or to 100.0 because of independent rounding.
Dash indicates that percent changes are not calculated when the base number is less than 50.

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Section 2

Recent Hate Crimes in California and Around the Nation

What makes a crime front-page news?

The San Diego Union-Tribune
August 30, 1999
By: Gina Lubrano
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It happened at a private residence in Rosemead. Four people were shot to death. Two others were wounded, and a woman was kidnapped and raped. Just before releasing her, the gunman threatened to return and kill other members of her family.

The story on the incident in the Los Angeles area appeared on Page 4 on Aug. 11. On the same day, The San Diego Union-Tribune and newspapers across the country carried news on their front pages about another shooting in the Los Angeles area in which three young boys, a teen-age girl and a woman were wounded. That, of course, was the shooting at the Jewish community center, which later was identified as a hate crime.

Why did one story rate the front page and the other not, asked reader Ken Guyer. Surely, the incident in which four people died was more heinous than the one in which five people were wounded and in which the motive was unknown.

That's an understandable point of view. But for editors, the question was which was more newsworthy, not which was more heinous. As it turned out, there were important differences between the two stories. One stemmed from domestic violence in a community more than 100 miles away. In the other, none of the victims had any connection with the shooter. Those differences, in the opinion of editors, made one story a candidate for the front page and the other not.

"Domestic violence cases, sad to say, are becoming very common," said Lora Cicalo, news editor at the Union-Tribune. She said some readers would be surprised at the number of domestic violence cases the newspaper could print each week.

"Without some other compelling reason in terms of news value, (such stories) wouldn't be considered for A-1," she said.

The point is that violence alone is not what makes a front-page story, she said.

In the case of the Jewish community center, the story became front-page news because of the randomness of the shootings, because they were in a public place where people expected to be safe, and because children were shot.

"There isn't anyone who has a child or loves a child who could not be touched by something in that story," said Cicalo.

The other incident involved a man and a former girlfriend who is the mother of his two adult sons. At the time of the shooting, she was with her current boyfriend, visiting his family. The boyfriend was killed; she escaped through a back door. There was an element of randomness in the shooting; it is believed some of the victims, one of them a teen-age boy, did not know the man who killed them.

The Associated Press story that appeared in the Union-Tribune was sketchy about the killer's relationship to his victims. The story that appeared in the Los Angeles Times the same day described the alleged shooter as being in a jealous rage "over a failed romantic relationship with the mother of his two sons."

Although both shootings occurred in the Los Angeles area, the Times chose to put the community center story on the front page and the jealous rage story on the cover of it's Metro section. It makes good news sense. I also agree with Union-Tribune editors that the jealous rage story was not front-page news in San Diego.

As it turned out, stories stemming from the shooting at the Jewish community center stayed on the front page for three more days. Stories Aug. 12 confirmed that these shootings were hate crimes and described the suspect, Buford O. Furrow, as an avowed racist.

It also was learned that Furrow confessed to investigators that he killed Joseph Ileto, a postal worker of Filipino descent, the same day he shot children at the community center. Ileto, he told investigators in an Aug. 13 story, was a good "target of opportunity."

Although there was follow-through on the shooting at the community center and the shooting of the postal worker, not another word subsequently appeared about the shootings in Rosemead. There should have been some follow-up, even if just a short story listing the condition of the wounded and saying that the killer had fled to Mexico.

Even though the Union-Tribune carried a number of stories on the shooting at the Jewish community center, a reader criticized the newspaper for falling short in one area.

Interviews were conducted with members of the Jewish community in San Diego, but no one from the Union-Tribune interviewed any members of the Filipino community on the shooting of Mr. Ileto and what reaction they might have to what apparently was a hate crime, noted Romeo P. Marquez.

Although it is open to dispute, some Filipinos believe they belong to the second largest ethnic group in the county, behind Hispanics.

"So for Buford Furrow to make a declaration that the postal worker Ileto (who looked either Hispanic or Asian) made a good 'target of opportunity to kill' is really alarming. Obviously, Ileto's skin color was a determining factor for Furrow to shoot him nine times.

"Think of how Filipinos in San Diego feel about this murder. I do not wish to trigger paranoia in my own community, but our skin color is now an open target for extremist attacks by people like Furrow."

Marquez has a point. The Union-Tribune should have sought out members of the Filipino community to comment on the shootings, just as it sought out members of the Jewish community.

***

Gina Lubrano's column commenting on the media appears Mondays. It is the policy of The San Diego Union-Tribune to correct all errors. To discuss accuracy or fairness in the news, please write to Gina Lubrano, readers representative, Box 120191, San Diego, CA 92112-0191, or telephone 619-293- 1525. Send e-mail to readers.rep@uniontrib.com

Wiping Out Hate in U.S.

Change must begin community by community

The San Francisco Chronicle, September 3, 1999

By: Marc Shaffer

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AMERICA HAS A HATE problem. Whether it's white supremacist Buford O. Furrow's murderous rampage in Granada Hills or the vicious killing of gay student Matthew Shepard in Wyoming or the murder of a gay couple and the burning of three synagogues in Northern California, it's undeniable.

While these sensational crimes make headlines, they are only the most notorious. The FBI reports that in 1997, its latest tally, more than 10,000 people were victims of hate crime -- harassed, raped, even killed, just because of who they are. California led the list with 2,404 incidents, nearly three times the number reported in New York, the second-highest state.

The White House has planned a November conference on hate. Others have called for a national dialogue on the problem. Activists are pushing for stiffer state and federal hate crime laws. These are worthwhile ideas, but real progress occurs at ground zero.

Ground zero is where Joe Moros lives. Moros teaches high school English in San Clemente, a suburban beach town in Orange County. In 1993, one of Moros' students, Jeff Raines, went out one Friday night and nearly beat to death a Cambodian man whom he took to be gay. Raines pounded the man's face so severely that the emergency room physicians could not determine that the victim was Asian. The man suffered permanent brain damage.

Less than a year later, deep racial tensions on Moros' campus -- tensions that had been fueled by an influx of Latino immigrants into the once lily-white Orange County -- took a deadly turn. One October evening, after a high school football game, white and Latino students clashed in a remote beach parking lot, and a white student was left in a coma. Twenty-five days later, he died.

In the face of the hate and violence, Moros felt compelled to act. In January 1994, exactly a year after the gay-bashing and just three months after the racial clash, the English teacher launched a course against hate. Moros couldn't find a class to emulate, so he cobbled together a curriculum from materials he borrowed from the American Civil Liberties Union and the Anti-Defamation League, the Southern Poverty Law Center and others.

Each semester, a new batch of 35 to 40 students pile into Moros' class, ready to explore the causes and consequences of hate -- from prejudice and racism to religious intolerance, from domestic violence to anti-gay violence to genocide and the Holocaust. Students forge tight bonds, opening up to each other in ways most teenagers would find unimaginable. In one class, a student came out as a lesbian; in another, the school "pep commissioner" revealed that she had clinical depression.

Another student told the class that his prom date's parents, who are white, forbid her from going with him, because he is half black. The power of the class seemed lost on Steve Raines, younger brother of gay-basher Jeff Raines. Raines took the very first course back in 1994, often wearing his bomber jacket emblazoned with confederate flags and Nazi iron crosses. "The whole reason I took this class was to tell people I was prejudiced and why, and not because I wanted help or I thought I needed help," Raines says.

When Raines exited the class expressing the same racial and anti-gay attitudes with which he had entered, Moros felt he had failed his biggest challenge -- reaching the kids who most need to change. "It really did bug me," says Moros, who remembers thinking "maybe the class doesn't work for everybody."

A year later, Moros was pleasantly surprised when his former student returned to visit. "I went back to school," recalls Raines, "and I said: This is my girlfriend. She's Indian, and I'm not prejudiced anymore.' "

"I had tears in my eyes," Moros says, "because it really was my success story."

Racism and bigotry haven't gone away in San Clemente -- far from it. But Moros' students believe that his class has made a big difference on campus. "Our school is a much more peaceful place," Moros says. "It's a nicer place to be."

Moros isn't a hero. He's what you'd call just an ordinary Joe, which is precisely the point. National conferences, hate dialogues, stiffer penalties -- all will help. But the real solution starts with ordinary people with good ideas and courage who work together to stop the hate and violence in their own community.

"I would like to see a class like this in every school in America," Moros says.

Wouldn't you?

***

Marc Shaffer of Oakland is a producer of "Seeking Solutions With Hedrick Smith, " which airs September 22, from 8 to 10:30 p.m., on KQED-TV. For information on such classes, see www.teachtolerance.org.

Crimes of Hate

Rarely reported or publicized, hate crimes are higher education's silent secret.

By **Stephanie Samperi**, Student.com correspondent

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Christopher Kindinger and Brad Waite were walking through the sleepy town of Oxford, Ohio on Jan. 19, 1998 when two white men drove up in a gray sedan.

They got out of the car, shouting racial and homophobic epithets. Then they started bludgeoning Kindinger, a Miami University sophomore who is black, with an axe handle. Waite ran to a nearby house to get help.

The attack, the first hate crime reported in Oxford in four years, spawned a number of campus forums discussing ways to respond to hate crimes. A reward fund was set up to catch the assailants, who later admitted their role in the beating. And faculty, students and the community organized a group called "No Hate" to respond to hate crimes.

"Hate crimes can happen anywhere," said Holly Wissing, a spokeswoman for the school. "What is important is how a community responds and to not let the victims have to deal with hate crimes alone."

But most victims do deal with the crimes alone, experts say. According to Daniel Carter, a spokesman for Security on Campus, a non-profit organization dedicated to the prevention of campus crime, hate crimes are often not reported, even though the Campus Security Act of 1990 requires schools to report them.

But college and university officials don't know that, according to a March 1997 report by the U. S. General Accounting Office. "The reporting of these incidents has been a problem," the report stated.

Carter said schools rarely release statistical information about hate crimes. "Three institutions — the University of Pennsylvania, Morehead State University and Clemson University — have been formally cited for a failure to disclose any information about hate crimes," Carter said.

But it's difficult for investigators to determine whether a crime is solely motivated by hate, which is defined as including "evidence of prejudice based on race, religion, sexual orientation, or ethnicity."

The FBI's Uniform Crime Reporting Handbook agrees: "ascertaining the offender's subjective motivation" is difficult. "Something like the writing of a racial epithet is pretty easy to define," said Max Bromley, an associate professor of criminology at the University of South Florida, and a former official with the university's police department. "But if you have a fight between two people of different races, it can be difficult to say whether there was hate motivation there or whether it was just a fight that broke out between two people of different races."

Colorado State University, which reported 15 hate crimes in 1996, determines bias through a system of checks and balances that is based on the FBI's reporting manual. "We have my records analyst and one of the corporals review [an incident] to see if it fits within those criteria," said Donn Hopkins, the chief of police. "Of the 15 we broke out, seven were related to some kind of race or ethnicity comment."

At Loyola Marymount University, the security chief screens each reported incident for possible prejudice, said Norm Schneider, a university spokesman. The school reported three hate crimes in 1996.

Groups such as the American Civil Liberties Union believe schools can do more to prepare students for the real world. Increasing faculty and student diversity, offering counseling to make people aware of bigotry and changing curricula to add a more structured approach to the topic of hate all help, the ACLU said.

"Colleges and universities have an affirmative obligation to combat racism, sexism, homophobia and other forms of bias," ACLU policy states.

Stephanie Samperi is a senior at the State University of New York at Binghamton.

Wave of hate crimes reflects a war against immigrants

USA TODAY, August 24, 1999
By: Samuel G. Freedman
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Exactly one week before Buford Furrow struck a blow for racial purity with his assault-style weapon and 70 rounds of ammunition, the leader of the White Aryan Resistance released a commentary on the demise of Proposition 187, the California measure denying public services to illegal immigrants.

"Today, California ceased to exist as an Aryan-dominated state," Tom Metzger informed his faithful in a telephone message. "W.A.R. releases all associates from any constraints, real or imagined, in confronting the problem in any way you see fit."

Perhaps some day, we can only hope, Metzger will have to answer in a courtroom for a directive that so closely preceded Furrow's shootings in suburban Los Angeles. Simply as a ghastly coincidence, though, his words show how Americans should understand this summer's wave of hate crimes -- as a war against immigrants, past and present, illegal and legal.

Understandably, most of the recent attention and sympathy have gone to the children whom Furrow attacked at a Jewish community center's day camp. But to comprehend fully what drives him and his ilk, it is vital to remember that in the midst of fleeing a police dragnet Furrow took the time to assassinate a letter carrier who had emigrated from the Philippines.

Similarly, after Benjamin Smith opened fire two months ago on Orthodox Jews and an African-American in suburban Chicago, he interrupted his own flight to murder a Korean-born student outside a church in downstate Illinois.

Today we might use the cliche "diverse" to describe the polyglot nation that Furrow, Smith and their inspirations, such as Metzger, wish to eradicate. There is nothing new, however, in the sick strain of nativism they embody. And while their lethal violence ought to convince Congress to toughen gun-control laws and weigh some constitutional way to police hate speech on the Internet, it should be recognized as the death rattle of a defeated ideology.

The neo-Nazis didn't lose the battle for America's soul in 1945, when Adolf Hitler committed suicide in a Berlin bunker; they lost it in 1845, when the Potato Famine first gripped Ireland, and the initial boatloads of undesirable aliens reached American shores.

The Irish, in that time, were assailed as lazy, drunken, superstitious, altogether unsuited to the WASP stock of the USA. Forty years later, Italians and Eastern European Jews felt the lash of bias, as immigration laws permitted -- one might say recommended -- their exclusion on such grounds as vagrancy and feeblemindedness. The Chinese, before being barred almost entirely from entering this country, were denied the right even to bring over their wives.

So perhaps Metzger and company wish a return to 1924, when Congress enacted Draconian restrictions on immigration. Or maybe they'd prefer to rewind the clock to 1928, when Al Smith, the first Irish Catholic to run for president, endured an onslaught of bigotry unmatched in electoral history.

But the Holocaust and the postwar loss of China to communist domination taught most Americans a harrowing lesson about who perishes when the Golden Door is locked.

And in 1965, standing on Liberty Island at the foot of the statue erected to herald the "poor huddled masses," President Lyndon Johnson signed into law sweeping amendments to immigration law.

To be truthful, the statute was sold to the American public on the premise that it would *not* alter the ethnic composition of the USA. By establishing family ties as the prime criterion for immigration, it was said, the law would keep America as white and European as it already was. Some Asian-American groups lobbied against the measure for that very reason.

Thirty-four years later, we all know what happened instead: America draws its new blood disproportionately from Latin America, Asia and the Caribbean basin. The effect has remade the nation far beyond the usual immigrant enclaves such as Manhattan's lower east side. There are Vietnamese in the suburbs of northern Virginia, Iranians in Great Neck, N.Y., Mexicans in the apple orchards of Washington.

To many of us, descended from immigrants, the effect is glorious. Every ancient culture had its own creation myth, and modern America's is the pageant of immigration, the narrative of desperate arrival, bitter struggle and, finally, a place in the mainstream.

The mainstream is never fixed. It is remade every day. And surely that dynamic is what Buford Furrow in his debased way perceived.

How it must have maddened him to think of a Filipino being a postman, rising up the civil-service ladder in classic American fashion. How it must have tortured Benjamin Smith to find a Korean worshiping in a Protestant congregation that once would have been safely Caucasian. The lunatic right may claim it opposes immigrants for violating the American compact, but in truth, it despises newcomers for playing and succeeding by the rules.

There is a place in political discourse for a debate on immigration policy, a place for citizens of substance to disagree on such matters as bilingual education. But already, with Proposition 187 and the federal immigration law of 1996, the USA has veered mistakenly into criminalizing the very people it ought to welcome into a meritocracy of pluck and elbow grease.

No legitimate figure should labor under the delusion that put a weapon in the hands of Buford Furrow, that America should once more bar its gates. To even entertain such a fantasy is, however unintentionally, to lend credibility to a tiny tribe of crackpots.

If we respond to hate groups with hate; Silenced, they may be more dangerous

Star Tribune (Minneapolis, MN), August 28, 1999

By: William McGaughey

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Buford Furrow's murder of a Filipino-American postal worker and wanton shooting of children at a Jewish community center near Los Angeles are highly distressing, but so is the political fallout from this situation.

In quest of instant answers and air time, a group of Jewish leaders met with President Clinton to discuss matters such as expanded hate-crimes legislation. Some Commentary page pieces in your newspaper were of a similar tone and content.

Buford Furrow is, demographically and visually, a hate-filled racist who would meet the expectations of Central Casting. Even his first name evokes association with the KKK. Hollywood has given us many such characters to hate and despise. So, when a real-life specimen appears, the temptation is irresistible to demonize him and his type.

In a nation as large as ours which preserves the right to bear arms, it is inevitable that crazed and armed individuals will occasionally perpetrate acts of mass violence. The additional factor is a cultural and social environment supercharged with racial, religious and gender antagonisms. Clinton has said much about the need for racial healing. Yet, the level of racial and other animosity seems to have risen appreciably during the period of his administration. Is that an anomaly?

It is partly because public discussions of race, gender and religion are consistently one-sided. The culture of political correctness plays clear favorites. Certain types of people are stereotyped as good and others evil, in today's terms of victimhood. One side enjoys the advantage of a huge megaphone, which is the press, to propagate its views. Furrow was not of a type who would have access to that megaphone. He seized it, illicitly, through actions undertaken with a gun at the expense of innocent persons.

The opportunistic response was to portray Furrow as a symptom of a much broader problem and to accent the Hollywood-like signs of villainy: He belonged to a secretive and violent organization with a weird ideology tinged with deviant Christianity. Some Satanic mastermind was orchestrating this whole situation. So we, as a decent society, have to expose the situation and, if not kill the evil mastermind as they do in Hollywood movies, harass him with legal maneuvers and adverse publicity. Give these perverse people minimal space within the law in which to do their evil deeds. In short, hate them.

Hate them? Isn't that partly what we have accused these so-called "hate groups" of doing and being? But if our political leaders and the media are urging us to hate certain people, don't we ourselves run the risk of belonging to a hate group?

Mohandas Gandhi once said that, if you point a finger at another person in anger and reproach, you will find three fingers pointing back at yourself. Jesus said: "Judge not lest you be judged." These are words which may bring us back from a moral impasse.

We need to change the paradigm to avoid the downward spiral of hate. The old paradigm said to find an enemy and destroy him with every means legally possible. The new paradigm says to talk with your enemy; perhaps you may come to some mutual understanding.

Therefore, better than to visit Clinton, the group of Jewish leaders might have gone out to Idaho and talked things over with leaders of the Aryan Nation. Let their mutual hatreds be openly discussed in the presence of each other. If President Jimmy Carter could be honored for bringing Menachem Begin and Anwar Sadat together for a peace conference, a greater honor is due to the one who can bring those white racists and rabbis together for a reasonably civil discussion. As delusional as this idea may appear to be, something of the sort, not additional hate-crimes legislation, is needed to heal our society in its current state of ugly divisiveness.

The solution is not to condemn Buford Furrow and his ilk with increasingly harsh judgments. Maybe if Furrow felt that his point of view, however hateful, was being heard, he might not have taken vengeance with a gun.

We are not always innocent human beings and our foes two-legged vermin. The change must take place within our own hearts.

ARSON HITS 3 SYNAGOGUES IN SACRAMENTO AREA

Los Angeles Times, June 19, 1999
By: Mark Gladstone and Virginia Ellis, Times Staff Writers
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Arsonists attacked three synagogues early Friday, gutting a library and leaving leaflets at two of the houses of worship blaming Jews for the war in Kosovo.

The worst of the damage was at 150-year-old Congregation B'nai Israel, which calls itself the oldest synagogue in the West. The Reform synagogue's library housing tapes and other materials on Jewish history was blackened, its contents destroyed.

The early morning fires caused nearly $1 million in damage. A team of local and federal law enforcement agents said there were no immediate suspects.

"This is clearly the worst such attack in years," said Abraham H. Foxman, national director of the Anti-Defamation League,

B'nai Israel, located in a leafy residential neighborhood a few miles south of California's Capitol, was hit first, at 3:24 a.m.

About 20 minutes later, arsonists broke into Congregation Beth Shalom, another Reform temple 10 miles away in suburban Carmichael, and set a small fire. Ten minutes later, another fire broke out at Knesset Israel Torah Center, an Orthodox synagogue two miles away and just outside the Sacramento city limits.

Cantor Martin London of Knesset Israel said fliers left at the synagogue purported to link Jews with the war in Kosovo through Secretary of State Madeleine Albright, a Catholic who converted to Episcopalianism. She only recently discovered her Jewish ancestry.

"We're just a nice, easy target . . . and that's been going on for 2,000 years," London said.

At Beth Shalom, teary-eyed congregants gathered Friday morning outside the temple, just below an inscription that read: "The Light of the Lord Is the Soul of Man."

They said the synagogue was spared serious fire damage by a sprinkler system that doused the flames but left the sanctuary waterlogged.

Over the last decade, Sacramento has been the site of several racially motivated incidents, including a firebombing outside B'nai Israel six years ago. Three years ago a predominantly black church was burned to the ground by arsonists.

"Our congregation . . . is devastated, shocked, numb, feeling anger. All those feelings," said Rabbi Brad Bloom of B'nai Israel. "At the same time we feel that ... .we're going to rebuild, we're going to renew."

Reports of the synagogue fires also stunned the pastor at Sacramento's only Serbian church.

"Our church and our people have nothing to do with this act of terror, this act of hate," said the Rev. Dobrivoje Milunovic of the Serbian Orthodox Church of the Assumption. "Our prayers and thoughts

are with the members of the Jewish congregations whose temples have been burned."

U.S. Atty. Paul Seave, a member of Congregation B'nai Israel, was among a group of elected officials and law enforcement authorities who gathered at a news conference Friday afternoon. Seave described the three fires as "crimes against all Americans" and announced the revival of a hate crime task force in the Sacramento area. Gov. Gray Davis offered the services of all state law enforcement agencies.

Federal Agencies Join Investigation

Within hours of the attacks, the FBI and the U.S. Bureau of Alcohol, Tobacco and Firearms were mobilized to join local police in the investigation. The ATF sent its National Response Team, a mobile investigative unit that is called for major incidents such as the bombings in Oklahoma City and at the World Trade Center in New York.

James Maddock, special agent in charge of the FBI's Sacramento office, said four people were questioned early Friday and released after investigators decided they were not involved in the fires. Maddock said it was too soon to say how many people were involved or what the motive was.

"What we do know is that the fires were set deliberately by individuals breaking in," said Sacramento County Sheriff's Lt. Jim Cooper. As they combed through the crime scenes, investigators found anti-Semitic leaflets at Beth Shalom and Knesset Israel.

The front door of Knesset Israel, a modest building in a quiet, residential neighborhood, was charred in the attack. Investigators estimated damage there at $30,000.

Cantor London said the synagogue had recently held a fund-raiser that finally got the small congregation out of debt. "Now we're behind the eight ball again," he said.

At Beth Shalom, the fire caused $100,000 in damage.

"There's broken glass everywhere, and water and footprints and mud and dirt everywhere," said Jeff Levy, Beth Shalom's immediate past president.

"The carpeting for the entire sanctuary is soaked . . . the American flag is knocked over and burned."

At B'nai Israel, the burned library had housed videotapes on Jewish history and culture as well as "Sesame Street" tapes in Hebrew. Authorities estimated the damage at more than $800,000, including vandalism in the sanctuary and some offices.

As word of the attack spread through the neighborhood, residents gathered behind yellow police tape.

"They tried to get rid of us 50 years ago. They've tried over time. They're not going to do it," said Elaine Hussey, a member of B'nai Israel.

Jonathan Bernstein, director of the central Pacific region of the Anti-Defamation League, who toured the blackened library just after dawn, said the latest attack seemed to be one more example of an alarming trend.
While hate crimes in recent years have decreased, he said, the severity of the attacks has increased significantly. "Fewer people are committing these acts, but the ones left

committing the acts are doing much more serious things," he said.

In Los Angeles, Jewish leaders reacted swiftly to the news of the fires in Sacramento. Foxman, the Anti-Defamation League's national director, said the Sacramento attacks are particularly troubling. "Not only because it was committed against houses of worship, but because it appears to have been a coordinated effort." He said the hate literature found at the scene was similar to material his organization has been tracking on the Internet for a number of months.

Michael Hirschfield, executive director of the Jewish Community Relations Committee of the Los Angeles Jewish Federation, said the attacks demonstrated the need for educating schoolchildren about diversity and tolerance.

In April, the FBI investigated a Serb-language letter faxed to Sacramento's Serbian Orthodox church and several other U.S. churches urging terrorist strikes on American military installations. Milunovic said he found Friday's events difficult to understand because Serbs and Jews have related well to each other for centuries. Many Jews found refuge in Serbia during the Holocaust, he said.

Leaders of Sacramento's Jewish community said the fires would not stop them from convening their regular Sabbath services Friday night and today, although they would be held with local police on watch.

"A rabbi once said the entire world is a narrow bridge and the essence is: Do not be afraid," said Rabbi Bloom. "That's our feeling. That's our message to the community."
Times staff writers Carl Ingram and Eric Bailey contributed to this story.

Times fires were reported
1. B'nal Israel: 3:24 a.m.
2. Beth Shalom: 3;48 a.m.
3. Knesset Israel: 3:58 a.m.

CHARGES FILED IN SLAYING OF GAY COUPLE; CRIMES: TWO BROTHERS WILL BE ARRAIGNED ON ACCUSATIONS OF PREMEDITATED MURDER. THEY ARE ALSO SUSPECTS IN SACRAMENTO-AREA SYNAGOGUE ARSON CASE.

Los Angeles Times, July 20, 1999
By: Eric Bailey, Times Staff Writer
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Authorities Monday charged two stridently religious brothers with the premeditated murder of a prominent gay couple, calling it a hate crime motivated by the sexual orientation of the victims.

Benjamin Matthew Williams, 31, and his 29-year-old brother, James Tyler Williams, face arraignment today in Shasta County Superior Court on six counts of murder and robbery. Shasta County Dist. Atty. McGregor W. Scott said Monday that a variety of special circumstances in the slayings could lead authorities to seek the death penalty, but that they would not decide whether to do so until after a preliminary court hearing.

Gary Matson and his companion of 16 years, Winfield Mowder, were discovered shot to death July 1 inside their home in Happy Valley, a rustic enclave about 10 miles south of Redding.

The Williams brothers, who are being held without bail, are also suspected of playing a role in the June 18 arson attack on three Sacramento-area synagogues. A joint task force of federal and local law enforcement officials is continuing to investigate the fires, focusing on whether the blazes might have been part of some larger plot by white supremacists nationwide.

Attorneys for the brothers, who have never before been arrested, declined comment Monday.

Scott brushed aside questions about motive and evidence during a packed news conference at the county's Public Safety Building.

Sheriff Jim Pope said that "murder is the ultimate expression of hate" and that he looked forward to the brothers' being prosecuted.

Pope and Scott would not discuss whether the brothers were affiliated with any particular hate group. But other law enforcement officials and experts on domestic terrorism say that they believe the brothers may have been swayed by Christian Identity, a fringe faith favored by white supremacists that considers Jews and people of color subhuman and castigates homosexuality as an unpardonable sin.

Tyler Williams, who like his brother goes by his middle name, distanced himself from the slayings and synagogue fires in a jailhouse interview with a Redding reporter last week. His brother has yet to talk publicly, but friends say that Matthew Williams underwent a profound shift in recent years away from evangelical Christianity to radical beliefs focused on anti-Semitism, racism and unwavering opposition to government.

Officials are still investigating whether the brothers could be linked to the killing of a 69-year-old man in Happy Valley on June 20 or a July 2 arson attack at a suburban Sacramento medical building that houses an abortion clinic.

Sheriff's investigators say that they believe the brothers knew Matson and Mowder because of a mutual interest in horticulture.

Matson, a lifelong Redding resident, was well known in the community as a plant expert and founder of a local arboretum and a Redding farmers market. Mowder helped run the plant department at a local hardware store.

Matthew Williams sold rare edible plants, for a time maintaining a booth at the farmers market, where authorities believe he became acquainted with Matson. His brother had recently joined him in starting a landscaping business.

After the slaying, investigators found no sign of forced entry into the gay couple's home. The victims' small station wagon was the only thing obviously missing.

A week later, the vehicle was discovered in a Central Valley town more than 100 miles away. The same day, law officers arrested the Williams brothers in Yuba City as they picked up an ammunition loader they allegedly had purchased with Matson's credit card.

Officials said a shotgun and two assault rifles were in their car. One brother was wearing a bulletproof vest and both were armed with 9-millimeter handguns, authorities said, but they gave up without incident.

A Skinhead's Story: An interview with a former racist

Intelligence Report, Winter 1998

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Last November, an outbreak of racist Skinhead violence hit the normally tolerant city of Denver. A Denver police officer was killed, another was apparently ambushed, and suspected Skinheads dumped a dead pig with the slain officer's name daubed on it in front of a police substation. The violence shocked residents who'd seen an earlier Skinhead upsurge crushed by police who cracked down hard in the early 1990s, and raised fears that racist Skinheads are making a comeback around the nation.

Thomas (T.J.) Leyden, whose skin is emblazoned with 29 neo-Nazi tattoos, spent 15 years in the Skinhead movement before renouncing racism and going to work as a consultant to the Simon Wiesenthal Center in Los Angeles. Since joining the human rights organization in June 1996, Leyden has given speeches at more than 100 high schools, the Pentagon, FBI headquarters, police agencies and in other venues. Leyden, who worked as a Skinhead recruiter for years, decided to leave the movement after he heard his 3-year-old son using racial slurs and began to fear for the boy's future.

The Intelligence Report interviewed Leyden about his life in the movement, his analysis of what makes it tick and the appeal it has for today's youth. The interview began with his description of how he got involved in Skinhead violence.

Intelligence Report: What brought you into the Skinhead movement?

T.J. Leyden: I was hanging out in the punk rock scene in the late '70s and early '80s, going to shows and slam dancing. In 1980, my parents got a divorce, and I started to hang out in the street. I was venting a lot of my frustration and anger over the divorce. I went around attacking kids, punching them and beating them up. A group of older kids who were known as Skinheads saw this, and I got in with them. We didn't like people who weren't Skinheads, but it wasn't really about racism yet.

In 1981, four big-time racist bands came into the Skinhead movement: Skrewdriver, Skullhead, Brutal Attack and No Remorse. We started to listen to their music, and that broke the Skinhead movement into two factions, SHARPs [Skinheads Against Racial Prejudice] and the neo-Nazi Skinheads. Since I lived in a very upper-middle class, white neighborhood, we decided to establish one of the first neo-Nazi Skinhead gangs in Southern California.

If we caught somebody black, Hispanic or Asian, we'd attack them, beat them for sure. But 90 percent of my victims were white because it was rare for somebody black, Hispanic, or Asian to be walking down my street. Probably the worst beating was at a party. A young Skinhead girl came over and said this guy, a long-hair, tripped her. We walked over to him, myself and three younger Skinheads, and we attacked him. When we were finished, we had broken his jaw, his nose and four teeth. My friend was standing on his hand, and I kicked his thumb so hard that I broke the bone and ripped the webbing.

I was a neo-Nazi street soldier between 1981 and 1988, and in that period I was probably involved in 150 to 200 fights.

IR: Did your racism come partly from your parents?

TJL: My mom was nonracist and my dad was a stereotypical man. I mean, if somebody cut him off on the freeway, if they were black, he'd use the word "nigger". That was his generation. But the racism I really

learned came from my grandfather, a staunch Irish Catholic. He would say, "You don't bring darkies home" and "Jews killed Christ."

IR: What are the circumstances that lead teenagers to join neo-Nazi gangs?

TJL: We were middle-class to rich, bored white kids. We had a lot of time on our hands so we decided to become gang members. When a kid doesn't have something else constructive to do, he's going to find something, whether it's football, baseball or hanging with neo-Nazi Skinheads. I tell people all the time, "Every kid wants a sense of belonging." And what easier group to fit in with than Skinheads? You're white, you're Nazi, you fit the criteria.

IR: When did you start to really learn the ideology of racism?

TJL: After I joined the Marine Corps in 1988. They teach a philosophy that if you do something, you do it all the way, not half-assed. So since I was a racist, I started reading everything I could read about Nazism, World War II, Adolf Hitler. Then I started reading about George Lincoln Rockwell [founder of the American Nazi Party]. Maybe because he was American and a commander in the military, for me he was a better role model than Hitler. William Pierce [leader of the neo-Nazi National Alliance] was influential for me, and Tom Metzger [founder of White Aryan Resistance, or WAR].

Tom's more of a public speaker, able to pump people up. Pierce is better as a writer. Pierce would probably put you to sleep at a rally, whereas Tom bores the hell out of you when he writes.

IR: How did you get to know Metzger?

TJL: When I was in the Marines, I was writing to one of my friends in California, and he wrote back saying he was doing security for Tom Metzger. I said, "Wow!" Then, all of a sudden, Tom writes to me and sends me the WAR paper. So I start corresponding with him. I didn't actually get to meet him until I got out of the military [in 1990].

I was recruiting, organizing Marines to join the racist movement. I manipulated guys through little things, talking to them about Nazism on a small scale. Like the Marines never had tailored uniforms until after World War II, and then all of a sudden we were tailoring ourselves because we wanted to look sharp like the Nazis. We wanted to walk and have thunderous footsteps like the Nazis. I would take things in the Marine Corps and say the Nazis did this first.

Eventually, I was kicked out for alcohol-related incidents -- not for being a racist. If you look at my military packet you're not going to find anything about me being a racist. And I had two-inch high Nazi SS bolts tattooed on my neck! Once I got cut, I decided to be a [Skinhead] recruiter. I was going to get younger kids to be street soldiers.

IR: How did recruitment work?

TJL: We incited violence on high school campuses. We'd put out literature that got black kids to think the white kids were racist. Then the black kids would attack the white kids and the white kids would say, "I'm not going to get beat up by these black guys anymore." They'd start fighting back, and we'd go and fight with them. They'd say, "God, these guys are really cool. They came out, and they didn't have to."

That put my foot in the door. Then I could start talking to them, giving them comic books with racist overtones or CDs of racist music. And I would just keep talking to them, giving them literature, indoctrinating them over a period of time.

Later on, in 1993 and 1994, I started doing a lot less recruiting and a lot more military training, more gathering guns, doing surveillance on law enforcement officers, finding out which shifts the police department worked, if there were more SWAT team members in the morning or night. The aim was that if anything happened, I wanted to know when they were the most powerful and the most weak. I starting watching LAPD, DEA, ATF, SWAT videos.

We didn't have enough soldiers to overthrow the U.S. government. The only way we could attack was the terrorist way -- IRA-, PLO-style. Our big thing was blowing up ABC, NBC, CBS, CNN. Blow up one of those, and you get worldwide coverage.

During the L.A. riots there were 40 Skinheads who were ready to go down to Florence and Normandie and start wasting black people. What stopped them, believe it or not, was Tom Metzger. He said we didn't have enough soldiers to do something of that nature. I think Tom Metzger lost face with a lot of Skinheads because of that. They said later, "Who cares if we didn't have enough? We should have done it and hoped that it was a spark."

IR: A spark to start a race war?

TJL: Yeah, and a whites-only North America above the Mexican border.

IR: Who were you focusing on recruiting?

TJL: I was trying to take people from a wide background, not just people in the racist movement -- people who were angry about taxes, about the government. They would say, "I don't have a problem with blacks, my problems are with the government." You could find them anywhere, at a bar, a guy sitting there drinking who was pissed off at the government for what it had done to him. We had a place out in the desert where everybody went to shoot where you could find people. I would talk to these guys at bars, gun clubs, pretty much anywhere.

IR: How important are racist rock music and the Internet for recruitment?

TJL: If I filled a room with 1,000 neo-Nazi Skinheads and asked them, "What's the single most important thing that influenced you to join the neo-Nazi Skinhead movement?" probably 900 of them would say the music.

The Internet is also extremely important. Before, the kid you were going to get, eight out of 10 times, was going to be a street soldier, a kid ditching school, basically a thug. But now with the Net, you're getting the bright kid, the 11- or 12-year-old who knows how to surf [on the World Wide Web]. I'd say there are probably as many racist recruiters on the Net as there are on the street now.

What they're trying to do now is get more affluent kids. They've been trying on college campuses, and a lot of times it hasn't worked. So now they're saying, "Let's get the bright kid when he's 12, and by the time he's 18 or 19 and going into college, we've already indoctrinated him."

IR: What finally brought you to leave the racist movement?

TJL: It was an incident with my son that woke me up more than anything. We were watching a Caribbean-style show. My 3-year-old walked over to the TV, turned it off and said, "Daddy, we don't watch shows with niggers." My first impression was, "Wow, this kid's pretty cool." Then I started seeing something different. I started seeing my son acting like someone 10 times tougher than I was, 10 times more loyal, and I thought he'd end up actually doing something and going to prison. Or he was going to get hurt or killed.

I started looking at the hypocrisy. A white guy, even if he does crystal meth and sells crack to kids, if he's a Nazi he's okay. And yet this black gentleman here, who's got a Ph.D. and is helping out white kids, he's still a "scummy nigger."

In 1996, when I was at the Aryan Nations Congress [in Hayden Lake, Idaho], I started listening to everybody and I felt like, "God, this is pathetic." I asked the guy sitting next to me, "If we wake up tomorrow and the race war is over and we've won, what are we going to do next?" And he said, "Oh, come on, T.J., you know we're going to start with hair color next, dude."

I laughed at it, but when I drove home, 800 miles, that question and answer kept popping into my head. I thought that kid was so right. Next it'll be you have black hair so you can't be white, or you have brown eyes so somebody in your past must have been black, or you wear glasses so you have a genetic defect.

A little over two years after my son said the thing about the "niggers" on TV, I left the racist movement.

IR: How would you characterize the Skinhead movement now?

TJL: Tom Metzger always says that for every kid that leaves, 100 more join. He knows that's a crock, the movement isn't growing that fast.

But these guys are becoming more adamant about terrorism. It's not a joke anymore, not when they're starting to do surveillance on families, police officers, politicians. They want to know where these guy's wives work, where their kids go to school. They're learning from the IRA and the PLO.

In the 1980s, everybody in the right wing thought The Order [a terrorist organization responsible for the murder of a Denver talk show host and the robbery of almost $4 million] was nuts. Now, you won't find one racist group out there that will oppose the [Order's 1984] declaration of war against the U.S. government.

Tom Metzger, on his hotline, says everybody should be sending Timothy McVeigh Christmas cards, birthday cards, money, saying how great he is. I believe the Murrah Building [in Oklahoma City] was picked because it was a very easy federal target and it had a day care center. They wanted to send a message: "Hey, look, we're going to start killing children in this war. So I hope you're ready to die for what you believe in, because we're ready to kill your children for what we believe in."

With the [white power] music scene on the rise, you're going to get a rise in Skinheads, both anti-racist and racist. Probably 65 percent of the movement is non-racist, but even if they're not racist, they're usually into a subculture of violence. I think that you're going to see a big increase in hate crimes again.

IR: What is the relationship between neo-Nazi Skinheads and the antigovernment Patriot movement?

TJL: The militia and Patriot movements are the biggest recruitment ground for neo-Nazis. What the Patriots do is say, "The New World Order is coming." So now a kid is told by his father, "The NWO is coming, son, they're going to take away guns and free speech." The kid says, "Dad, where is the NWO coming from?" And the dad has no clue. But the neo-Nazi Skinhead walks over and says, "The NWO is The Protocols of the Elders of Zion [an infamous anti-Semitic tract that purports to show a global Jewish conspiracy]. Just take out the word 'NWO' and put in 'Jew'."

IR: What has been the personal cost of your involvement in the movement?

TJL: A little bit of my dignity. I look at myself as two people, who I am now and who I was then. I see the destruction I did to people by bringing them into the movement, the families I hurt. I ruined a lot of lives. That's the biggest thing I have to pay back. I don't forgive myself. Only my victims can forgive me.

Section 3

Hate on the Internet and in Music

Resisting arrest

Racist Resistance Records isn't slowing down

Intelligence Report, Winter 1998
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Last spring, police in Michigan and Canada cracked down hard on Resistance Records, arresting its founder and hauling away just about everything the white power label owned -- computers, financial records, magazines and 10,000 compact discs.

Yet by year's end, after Michigan's tax evasion case against Resistance resulted in only a small fine, the nation's largest purveyor of racist rock was back on its feet, filling orders as if the raids had never happened, planning to restart its slick promotional magazine this spring, and turning a handsome profit.
Its success, while disheartening, is not surprising.

"What's held back [other white supremacist organizations] is the mediocrity of their leaders," says Michael Barkun, an expert on extremist right-wing groups. "But these guys are smart. You look at their magazine, the albums, and they're very professional. Their [organizational] models are not political but media-oriented."

Resistance Records has grown rapidly since its founding in 1994, turning a healthy profit for the first time in 1996, according to its leaders. The appeal of the virulently racist bands it promotes is expanding, both in the United States and elsewhere, and the bands are now drawing hundreds of new recruits into the racist movement. Their music provides ideologically unsophisticated racists a kind of shared culture. "Throughout history, music has been used to recruit and unify ultra-right movements," says Carl Raschke of the University of Denver. "A lot of people think the Third Reich couldn't have happened without Wagner. For Skinheads, who follow the concept of leaderless resistance, white power music is what binds them."

Michelle Lefkowitz, an official with Oregon's Communities Against Hate who's worked to get teenagers out of the Skinhead movement, agrees. "It's probably the most successful organizing tool white supremacist Skinheads have," she says. "Kids get into the scene because of the music, and then they're introduced to the politics."

'Defend us with baseball bats'

Resistance downplays its racism in statements to the media by asserting the label promotes white pride, not violence or white supremacy. But the briefest glance at the lyrics of its music shows that stance to be disingenuous at best:

- "Niggers just hit this side of town, watch my property values go down. Bang, bang, watch them die, watch those niggers drop like flies." -- Berserkr.
- "Skinheads in the papers, Skinheads you just can't fool. Defend us from Blacks with baseball bats, racism back in rule." -- No Remorse.
- Bound for Glory, one of the hottest bands, titles one album "Doctor Martens Dental Plan," an apparent reference to kicking victims' teeth in with the heavy Doc Martens boots favored by Skinheads. No Remorse offers another called "Zigger! Zigger! Shoot Those F---ing Niggers!"

White supremacist bands originated in the 1980s in western Europe, where they quickly became a staple of the original British Skins. Britain's Skrewdriver, later linked to an American Klan group, was one of the seminal bands, followed by America's RAHOWA (short for "racial holy war"). Today, there are more than 25 such racist bands in the United States, and over 100 worldwide.

Resistance Records was founded by George Burdi (alias Eric Hawthorne), a Canadian who set up shop in Detroit to avoid criminal prosecution under Canada's strict hate crime laws. By 1996, the label had signed 12 of the hottest racist bands and was distributing in Europe, South Africa, South America and the U.S.

It was also publishing Resistance, a glossy, full-color music magazine that promoted the label's bands and their philosophy. That year, Resistance officials say, the magazine (costing $6,000 an issue to produce) had a circulation of 5,000. Also in 1996, Resistance Records made a profit for the first time, from sales of some $300,000. Writer Michael Herschwann of Spin magazine, which covers the American music industry, says that level of sales is "on the successful end for an independent label." Resistance also sells its wares through a slick Web site.

Raids, arrests and swastikas

Last April 9, Michigan authorities raided Resistance's offices in the Detroit suburb of Highland Township after investigating allegations that the company had not paid state tax on its sales. The same day, Canadian officials raided Burdi's Windsor home, finding illegal Nazi paraphernalia and arresting Burdi and two aides.

Sgt. Rodney Young, an agent in the Michigan state police's treasury division who was part of the U.S. raid, said the tax case turned out to be minor because most of Resistance's sales were to out-of-state customers. It was settled with a fine.

Since Burdi's arrest, Eric Davidson, the former editor of the neo-Nazi *Blood and Honor* magazine, has taken over as general manager. Davidson, 36, says that as of late last year the company was filling some 120 orders a month, about the same number as before the raid. He now hopes to make white power videos for MTV.

Such a move would fit the image Resistance Records is cultivating -- an image meant to appeal to middle and upper-middle class youth. Lefkowitz says the music is clearly helping recruit such teens in her home town of Salem, Ore. A third of 40 recent neo-Nazi converts, she says, "come from social and economic privilege."

Burdi himself may best describe the appeal Resistance's bands have for young racists who are tired of the white supremacist movement's aging leadership.

"Here I was in a movement that surrounded me with middle-aged men and elderly men, and suddenly I heard this voice -- this amazing, soulful, mighty voice -- that was from a young man like myself," Burdi rhapsodized in an editorial.

"This must become the voice of my generation ... nothing can stand in the way of this music reaching the hearts of millions of white people. ... [T]hey will turn in droves to a radical solution to a radical problem. And Skinheads will be waiting in the wings, trained in maximum ferocity ... tough, tenacious, indefatigable."

Activism vs. Hacktivism:
HateWatch condemns hacking hate sites

CAMBRIDGE, MA: On September 4, 1999 the Ku Klux Klan web site at *www.kkk.com* was vandalized. The front page of KKK web site was replaced with a new page that essentially made it look for the user as though the entire contents of www.hatewatch.org were on the www.kkk.com site. HateWatch has not nor ever will condone such behavior. Not only is this type of action illegal but it has the effect of calling into question the legitimacy of the online civil rights movement as a whole. In the strongest possible terms, HateWatch condemns this type of *hacktivism* against the Ku Klux Klan web site or any web site, regardless of the rationale.

This week, David Goldman founder and Director of HateWatch was interviewed for an **article in the Village Voice** concerning the recent hacking of the anti-gay web site godhatesfags.com. Mr. Goldman stated that hacking hate sites, "...as a tactic to be used by the civil rights community, is a misguided one. Limiting someone's speech...even temporarily takes away one of the greatest advantages the civil rights community has on the Web: exposing bigots using their own words."

Rather than defacing racist web sites which only damages the cause of civil rights, HateWatch invites those that are interested to volunteer at HateWatch or another similar organization. Education and participation, not acts of vandalism, will make the web a more tolerant community.

HateWatch (www.hatewatch.org) founded in 1996, is a nonprofit organization that combats the growing and evolving threat of online bigotry.

Violence, Hate and Youth

by Mark Potok

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What's happening to our children?

In the aftermath of the mass murder by two students at Columbine High School in Littleton, Colo., Americans have agonized over that painful question as they sought to make sense of the senseless. As details about the killers emerged, it seemed clear that one part of the puzzle was the influence of white supremacy.

The attack occurred on the 110th birthday of Adolf Hitler. Students reported that one of the killers called 18-year-old Isaiah Shoels a "nigger" just before shooting him, and others said that members of the so-called "Trench Coat Mafia" idolized Hitler, spoke German to one another and listened to German music. There were even reports that members of the group wore red shoelaces -- a symbol of neo-Nazi Skinheads.

Many have pointed accusing fingers at the parents of Eric Harris and Dylan Klebold, the youths who apparently committed suicide after their attack. But others, closer to the families, have described the parents as utterly normal, attentive people.

It's not clear how important a role racist beliefs may have played in igniting the attack. But there is evidence that the presumed killers were deeply involved in the Internet and in the "extreme music" subculture -- both worlds that have seen a rapidly increasing incursion of white supremacist and neo-Nazi influences.

Music and the Net

Since the first hate site went up on the Web just four years ago, racist propaganda on the Net has exploded. In addition, there are scores of sites glorifying violence and detailing how to build bombs like those used at Columbine High.

Hate groups have used the Net to target people like Harris and Klebold -- bright, college-bound youths seen as capable of building a radical right political movement. Many hate groups have put up Web pages explicitly aimed at young students.

Harris and Klebold were also said to be deeply interested in extreme music, including Gothic, Black Metal and Death Metal. Typically, this music has been characterized by anti-authoritarian, violent, occult and even pornographic themes. But now, neo-Nazism has become very much a part of the scene.

Evidence of this change can be seen in magazines like *Pit* that cover extreme music. According to the Coalition for Human Dignity, a Seattle-based human rights group, *Pit* has run uncritical interviews with musicians like "Kapricornus," who refers to his national socialist beliefs and "the plague of negroidial [sic] creatures." Another musician predicts: "Auschwitz and Birkenau will be reopened under new management -- US!"

Metastasizing hate

The Littleton massacre is not the only horror story that has caused parents and others to examine the roots of hatred among the young. Peggy Greenbaum has wrestled with a similar situation since it was revealed early this year that her 20-year-old son, a youth with Jewish ancestry, leads a neo-Nazi group.

"I don't know how you don't know these things, but you just don't," a weeping Greenbaum told the *Intelligence Report*. "I just don't know where it came from."

Part of the answer may lie in the ways that normal teenage rebelliousness and problems at school can become poisoned by white supremacist organizers, who are capitalizing on the new technology of the Net to reach teens. While parents are at work or simply too busy to pay close attention, their kids are often squirreled away in their bedrooms sitting at the keyboard -- and absorbing the message of Net hate sites.

In Littleton, the killers apparently had been ostracized as oddballs by many of their classmates. Greenbaum says her son, who has changed his name from Andrew Greenbaum to Davis Wolfgang Hawke, was ridiculed in school and taunted by children who called him a "kike." These problems apparently metastasized when Hawke, Harris and Klebold came into contact with the increasingly powerful neo-Nazi movement.

Hawke, his mother says, "is beyond the point of reasoning." But that is not true of millions of other American children, kids who live in a society suffering from endemic racism. If we are to stop the upward spiral of hate, parents now more than ever must speak to their children openly about this plague, explaining why it is wrong.

Ultimately, that may be our best hope.

***Mark Potok is editor of the* Intelligence Report.**

Good or Bad, the Internet is an Open Forum

Freedom of Hate Speech

By Gina Smith

ABCNEWS.com

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Over the next couple of years it is projected that the number of computers with Internet capability will top 200 million worldwide. That doesn't mean that every hate group on the Internet is reaching a huge audience, but the potential is there. This medium is cheap, anonymous and growing by leaps and bounds.

Don Black is a Florida computer consultant who also happens to run a successful and well-known site on the Internet. Black, a former member of the Ku Klux Klan, funds Stormfront, a Web site dedicated to the white nationalist movement he's been active in for years. It was the first site of its kind on the Internet. Critics say it is also one of the most extreme site promoting racial hatred on the World Wide Web.

HATE ABOUNDS

According to some estimates, there are some 800 so-called "Hate Speech" sites on the Internet and they run the gamut from Neo-Nazis to militia movements, from Holocaust denial advocates to bomb-making recipes.

Rabbi Abraham Cooper is the associate dean of the Simon Wiesenthal Center, an organization that monitors hate groups. "What started as a trickle has evolved into a deluge. In the last year alone, we've seen a 300 percent increase in the number of these pages that have been put up in the World Wide Web." Cooper says.

What distinguishes online extremists is their potential reach, thanks to the Internet, so-called 'hate groups' can put themselves on a global stage.

IT'S NOT ILLEGAL

Sky Dalton, chairman of Earthlink, one of the nation's largest Internet service providers, feels Internet hate groups raise First Amendment issues. "It's a question of a First Amendment right to free speech" Dalton claims. "If they're doing something that would be construed as illegal, you know, that's why we have laws and law enforcement agencies. But if they're not, they're not." He adds, "The great value of the Internet is that all ideas can be taken on their merits and evaluated by people relative to their importance and other ideas."

SHOULD WE CENSOR HATE?

Regardless of their political leanings and for reasons going well beyond the First Amendment, many Internet users would deeply resent any attempt to limit their speech on line. Chalk that up to the culture of the Internet, a communications medium designed from beginning to allow free-form communication.

White supremacists once had only limited means of spreading their views, but with lawmakers and Internet providers unwilling or unable to stand in their way, authors of so called hate speech now have a medium capable of reaching millions the world over and it's a medium that's here to stay.

Net spreads hate, but also fights it

San Jose Mercury News
By Brandon Bailey and Pete Carey, Mercury News Staff Writers
July 15, 1999
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It's easy to find hate online. There are Ku Klux Klan chat clubs and neo-Nazi Web sites, racist video games and white-power songs in compressed digital format.

But just as extremists have discovered the power of the Internet, civil rights groups are using the same powerful technology to counter racism and intolerance.

While shying away from outright censorship, some groups have asked online operators to police themselves -- with mixed results: Weeks after one firm shut down more than 20 discussion groups espousing racism or intolerance, several more popped up on the company's network of sites.

Other groups recommend software that restricts access to hate material, especially for computers used by kids.

Still others contend that the Internet itself can be a potent tool for exposing extremism's ugly face.

"We're dragging these people out of the shadows," said David Goldman, the founder of a non-profit organization called Hatewatch.org, which posts information about a variety of hate groups on its own site.

"Let's bring them out where we can examine them and learn from them and make sure we can protect ourselves from their influence."

A wider reach

A racially motivated shooting spree in the Midwest earlier this month, along with the murders of a gay couple in Redding and three synagogue fires in Sacramento, have focused attention on the explosion of hate sites online.

Authorities say the July 4 shooting spree, which claimed two lives and left nine others wounded in Illinois and Indiana, was carried out by a follower of the World Church of the Creator -- a racist, anti-Semitic organization whose leader has described the Internet as a valuable recruiting tool.

Acquaintances say one of the brothers described as a suspect in the Sacramento arsons and the Shasta County murders downloaded racist tracts from the Net.

But experts say it's no surprise that -- like virtually everyone else who has something to sell -- many hate groups are online. Just as it has revolutionized other forms of communication and commerce, the Net has expanded the ability of hate groups to spread their word, especially to the isolated, the disgruntled and the easily impressionable.

"Ten years ago, a Klansman would have had difficulty getting together a shoddily produced pamphlet that might reach a hundred people. Today, that same Klansman can put together a Web page that can reach thousands," said Mark Potok, who tracks hate groups for the Southern Poverty Law Center.

Web sites and e-mail are an especially potent tool for reaching young people, he said. Kids from educated or affluent families, "who wouldn't be caught dead at a Klan rally," might be open to messages on their computer at home.

Protected speech

Most of those messages are protected by the First Amendment, which guarantees freedom of speech. To date, there's been little success in bringing lawsuits or criminal prosecutions against the purveyors of hate, except when there's evidence of specific threats against specific individuals.

Earlier this year, an Oregon jury found several anti-abortion activists liable for more than $100 million in damages after evidence showed they provided information for a Web site that contained ``wanted posters" showing abortion providers.

But most hate material on the Internet consists of harangues against broad groups of people -- and legal experts say that's protected speech.

Most civil rights activists say they don't want the government limiting what's allowed on the Internet. Once you start censoring offensive material, the door is open to censoring other kinds of speech, says Hatewatch.org's Goldman.

"We recognize the limitations," agreed Jonathan Bernstein, Central Pacific regional director for the Anti-Defamation League, a national civil rights group. "We need to figure out creative ways of thinking about this."

Several groups are working on just that:

- Goldman's Web site (**www.hatewatch.org**) offers information and software for grass-roots activists opposed to prejudice, along with a guide to hate groups online -- including links to their sites. Though some have criticized Goldman for making it too easy to access such material, he said it's important for people to see exactly what these groups are saying.

  "Don't listen to us. Go into their Web sites," Goldman said. "Look at the material yourself."

- The ADL has developed a software filter that lets parents block access to hundreds of hate-based Web sites. It's similar to commercial software products, some of which also restrict access to hate sites, as well as pornography and other offensive material.

  The ADL sells its filter on its Web site (**www.adl.org**), where it also has posted a parents' guide to hate groups on the Internet and a discussion of related legal issues.

- The Simon Wiesenthal Center in Southern California (**www.wiesenthal.org**) distributes a CD-ROM called "Digital Hate 2000," listing hundreds of extremist Web sites. The center also urges consumers to complain if their Internet service provider allows hate material on sites hosted by the ISP.

Filtering filth

But most service providers think of themselves as primarily conduits to the Internet -- more like a phone company than a newspaper publisher -- and they don't want to get involved in policing the content of Web sites or chat rooms, said Barbara Dooley, president of the Commercial Internet eXchange Association, a national trade group.

Instead, she argues that consumers should use filters or blocking programs that let them decide for themselves what they will access.

But she acknowledged that many ISPs now help clients post material, by hosting personal Web pages, for example. And they have developed a range of policies that define what is and isn't appropriate.

Officials at America Online, the industry leader with 16 million members, say they can't possibly monitor every member. Still, they respond to complaints from both members and outsiders.

"The most systematic watcher has been the Anti-Defamation League," said AOL executive George Vradenburg. "From time to time they identify member Web pages they say is hate speech."

While Vradenburg said AOL typically gives an offending customer 24 hours to delete objectionable material, he also said the company tries to strike a balance that allows healthy debate on every issue. Other providers, however, say they're not comfortable making those decisions.

"Our policy is pretty much hands-off, with regard to content," said Harry Smoak of Mindspring, which has more than 1 million customers nationwide. "Legally, we have certain rights to choose who we do and don't do business with . . . but if we start regulating content, it opens up all kinds of liability problems."

Persistent plague

Even when they are shut down, hate groups seem to have little trouble finding a new service provider. "These sites move around extremely rapidly," said Potok at the Southern Poverty Law Center. He added that the number of hate sites has grown from 163 in January 1998 to 254 this year.

Officials at the Wiesenthal Center, using broader criteria, have counted more than 2,000 extremist sites. Among them were more than two dozen of Yahoo Inc.'s youth-oriented chat groups, known as Yahoo Clubs, that apparently were started by individuals who espouse racist or extremist views.

A spokesman for Yahoo, which operates a network of Web sites, said the groups had been deleted in recent weeks in response to public concerns. But similar clubs had started up again this week. The spokesman said those are now being reviewed to see if they violate Yahoo policies.

"These clubs represent an extremely small portion of our clubs," said Mark Hull of Yahoo. "Of the clubs we did delete, typically those were one person inside a club and no one had visited the club."
Experts, however, say that's only a hint of what's available on the Internet at large.

"A kid can go on the Net and can be playing racist video games in a couple hours by coming across the wrong site," said T.J. Leyden, a self-described former neo-Nazi skinhead who now advises the Wiesenthal Center's Task Force Against Hate.

Hate groups are also using the latest digital compression tools to offer white-power songs for quick downloading off the Net.

There's been one benefit to having hate groups online, Potok said. He surfs the Net regularly as part of his effort to monitor various groups' activities and trace their complex relationships. Then he shares the information with law enforcement and the news media.

"The Internet has become a very useful tool to us," he acknowledged, "in terms of seeing who's out there."

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Section 4

Community Organizations Respond to Hate

NCAVP
National Coalition of Anti-Violence Programs

MEDIA RELEASE

For Immediate Release: **August 4, 1999**

NATIONAL ANTI-VIOLENCE COALITION URGES HOUSE TO PASS HATE CRIMES PROTECTION ACT

Washington, D.C. – On August 4, 1999, members of the National Coalition of Anti-Violence Programs (NCAVP) joined other activists and community leaders to urge the passage of the Hate Crime Prevention Act (HCPA) before the House Judiciary Committee. HCPA would extend Federal protections in hate violence incidents when sexual orientation, gender and disability motivate them. This highly supported, bipartisan measure would put the full protection of *all* Americans one step closer to becoming a reality -- regardless of any person's race, color, religion, national origin, disability, gender or sexual orientation.

"Critics of hate crime legislation often advance the deceptive argument that such laws would give 'special treatment or protection' to some victims because of their status. This argument demonstrates a profound failure to understand what bias crimes are and how hate-crime legislation works," stated Jeffrey Montgomery, executive director of the Triangle Foundation in Detroit, Michigan and member of NCAVP's Steering Committee. "The greatest failure to understand hate-crime laws lies in focusing on attributes of the victim rather the perpetrator, since it is the motive behind the criminal act that distinguishes and defines a hate-crime, not any characteristic of the victim. Taking the motive behind a crime into account when determining sentencing is a well-established facet of the criminal justice process."

Each year NCAVP collects and reports statistics of hate crimes committed against lesbian, gay, transgender and bisexual individuals in a national report gathered from 16 reporting sites across the country. "Although there was a slight decline in violent incidents against the gay community in 1998 over 1997, those reported incidents were more serious and extreme. Anti-gay murders skyrocketed from 14 in 1997 to 33 in 1998, and we know for a fact that these numbers are low because of how few sites are collecting this data," stated Richard Haymes, executive director of the New York City Gay & Lesbian Anti-Violence Project and fellow NCAVP Steering Committee Member. "The use of firearms grew 71%; bats, clubs and other blunt objects increased 47%; knives 13%; and ropes and restraints 133%. The only weapons category that declined was the use of thrown objects. What this indicates is that our assailants are more emboldened, and that their hateful thoughts quickly turn to hateful actions, and their hateful deeds too often result in serious physical harm or murder." NCAVP also reported that serious assaults in which the victim sustained major injuries increased 12% and the number of victims requiring inpatient hospitalization as a result of their injuries increased 108%.

Furthermore, NCAVP rejects the argument that all crimes of violence are 'hate crimes.' "Typical criminal motives are greed and financial gain, or jealousy or anger between people who know each other. In contrast, bias crimes are usually perpetrated against strangers and are committed for the sole purpose of victimizing the target, not any personal gain on the part of the attacker. Furthermore, crimes against lesbians, gay men and transgender people are not only trivialized by the larger society, but also often viewed as 'just deserts' in some circles. Many bias criminals not only rationalize their crimes, but also go so far as to defend their actions as almost a 'civic duty,'" continued Montgomery.

"Hate crimes also differ from other acts of violence because of the terrorist nature of the act itself. When bias criminals target an individual because they are perceived to be a member of a certain group, the attack has serious repercussions beyond the trauma to the individual and his or her loved ones. Acts of bias-related violence send a clear signal to that entire community or group—that is also what sets hate crimes apart from other criminal acts," continued Haymes.

"The Hate Crime Prevention Act is not about specific crimes and crime victims, although by enacting this legislation we extend some honor to the memories of those killed in bias violence attacks, and those tens of thousands of others who have lived through humiliating and savage attacks, and will now spend the rest of their lives dealing with the trauma," concluded Montgomery.

Southern Poverty Law Center: Courtroom Victories
Reprinted with permission

Taking Hate Groups To Court

By Morris Dees and Ellen Bowden

On a quiet evening in November 1988, Mulugeta Seraw, an Ethiopian graduate student, was being dropped off by two friends. Three skinheads from a racist group, East Side White Pride, spotted them. Wearing steel-toed boots and military jackets, the skinheads blocked the Ethiopians' path and ordered them to move. When the Ethiopians did not respond immediately, one of the skin heads took a baseball bat and smashed their car windows. Another skin head then turned the baseball bat on Seraw. With repeated blows, the angry skin head crushed Seraw's skull. Seraw was dead before the paramedics arrived on the scene.

Unfortunately, stories like Seraw's are not uncommon. Hate crimes have reached epidemic proportions. Hate has motivated over 100 murders since1990. According to the FBI, 7,684 incidents of hate crime took place in1993 alone. The saddest fact is that these figures do not come close to measuring the true number of hate crimes in the United States. For every reported hate crime, as many as nine others may go unreported.

Hate crimes know no geographic boundaries. Once most often associated with violence in the South, hate crimes have touched every region of the country in recent years. No group is immune. Once most often associated with violence against blacks by whites, hate crimes now count Asian-Americans, Hispanics, Jews, gays, lesbians, blacks and whites among their victims.

Hate crimes pose unique threats. Victims of hate crime are much more likely to endure severe physical and psychological harm than victims of other violent crimes. Compounding the problem, hate crimes have the potential to convulse an entire community. The Rodney King beating illustrates how one hate-motivated crime can quickly become a focal point for venting long-simmering grievances. The social strife that often accompanies hate crime can irreparably damage a community's cohesion.

The lawyer's role

What can we as attorneys do to reduce hate crimes? One step is to encourage local prosecutors and lawmakers to take all hate-motivated crimes seriously by increasing prosecutions and enacting tougher laws. Another step is to pursue civil remedies for victims.

A hurdle facing most civil hate crime suits is that the defendants are penniless. Hate crimes are typically committed by youths who are only marginally employed at best and have no resources of their own to speak of. Those with assets before the crime are likely to expend them on the costs of legal defense at their criminal trials. As a result, the victim and his or her lawyer frequently have no defendant worth suing.

Even if a defendant has deep pockets, an individual lawsuit is unlikely to make a dent in the rate of hate crimes committed each day. The typical reckless youth who commits these crimes is not going to be deterred by the threat of liability even if he happens to hear about a successful civil lawsuit against someone like himself.

The key to finding a defendant who can both pay his debts on a judgment and have an impact on hate crimes overall often lies in locating those whose behind the scenes actions might render them vicariously liable for the perpetrator's actions. Those persons are often the leaders of hate groups.

Organized hate groups commit 15 percent of all hate crimes. They also influence many more persons to follow their violent example. Racist skinheads, for instance, often depend on hate groups for their slogans and leadership. As hate crime experts Jack Levin and Jack McDevitt have noted, "[t]here may be thousands of

alienated youngsters looking for a role model who will encourage them to express their profound resentment. Such impressionable youths may not actually join some hate group. They may not be willing to shave their heads and don the uniforms of skinheads, but they are nonetheless *inspired* by the presence of such groups and *intrigued* by the use of their symbols of power."

In Mulugeta Seraw's case the youths who killed Seraw belonged to a local racist skinhead group, East de White Pride. One of the skinheads, David Mazzella, actually belonged to a much larger hate organization, the White Aryan Resistance (WAR). The leader of WAR, Tom Metzger, and his son John, head of WAR Youth, recruited Mazzella in California when he was only 16.They initiated Mazzella into the world of racist violence and trained him to organize skinheads to commit racist attacks. To that end, they sent Mazzella to Portland and introduced him to East Side White Pride, where he spurred the group on to commit the brutal assaults that culminated in Seraw's murder.

Southern Poverty Law Center civil suit

Focusing on the link between Mazzella and the Metzgers, the Southern Poverty Law Center brought a civil suit on behalf of Seraw's family against the Portland skinheads, Tom and John Metzger, and WAR. Lawyers from the Anti-Defamation League assisted us.

Our goal in the Portland case and similar lawsuits has been to hold the leaders of hate groups responsible for the violent actions of their members. First, we aim to bankrupt the organizations or individuals responsible for hate crimes. Second, we seek to separate the foot soldiers from the leaders, whose combined charisma and intelligence make them less replaceable. Through these means, we hope not only to put the hate groups themselves out of business, but to stop their leaders from encouraging so many youths to perpetrate hate violence.

The Seraw case presented a complicated factual picture. The Oregon defendants were like so many other disenchanted, violent youths one reads about in newspapers everyday. We could easily link them to the crime, but they were penniless and replaceable in the world of bias violence. The California defendants, on the other hand, were 1,500 miles away when the crime occurred and did not even know it was happening. Still, their actions and guidance led the skinheads to kill Seraw.

Taking aim at hate groups

As the Seraw case demonstrates, hate groups can spawn violence even when they do not directly participate in the crimes. This reality suggests that we, as lawyers, must take aim at hate groups. In addition to helping to combat the 15 percent of hate crimes for which hate groups are directly responsible, these suits also have an effect on the remaining 85 percent by eliminating the poisonous impact hate groups have on the rest of society. Moreover, hate groups and their leaders are much more apt to have resources than the youths whose actions they direct. Thus, successful civil suits against hate groups and their leaders also provide victims a remedy they would otherwise not have.

Prior to the Seraw case, the Southern Poverty Law Center has taken hate groups to court on numerous occasions. In 1981, we enjoined the Ku Klux Klan from harassing and intimidating Vietnamese fishermen in the exercise of their legal rights to fish in Galveston Bay, Texas. In 1987, the Center won a $7 million verdict for the mother of a black youth lynched by the Klan. In 1988, the Center secured a criminal contempt conviction against the Klan for violating a consent decree designed to protect black persons in North Carolina. The following year we won a $1 million verdict against two Klan groups, several Klan leaders and numerous Klan members for a violent assault against our clients during their peaceful civil rights march in all-white Forsyth County, Georgia. In 1995, we obtained a $1 million default judgment for a mother whose son was killed by a "Reverend" of a white supremacist group, the Church of the Creator, that we intend to use to collect "Church" assets held by other neo-Nazi leaders.

Civil remedies

If a victim wants to bring a civil action, several sources of law may afford a remedy. Federal law provides civil remedies for discriminatory interferences with federally protected rights. Thirty-five states have enacted their own hate crime statutes. Twenty-two of these statutes provide special civil remedies for victims. Some of the statutes make attorney fees or treble damages available. Remedies like assault and battery and wrongful death actions also exist in every state.

The trend towards enacting hate crime statutes has been important in expressing community attitudes against hate crime. The laws have also led police departments to take these crimes more seriously. But we at the Southern Poverty Law Center have not relied on the state statutes for two reasons. First, some of these statutes have yet to be tested. Second, we believe that other theories can work as effectively. Although the leaders of hate groups often have assets, the damages we seek in these cases would bankrupt the groups 10 times over. Under these circumstances, trebling the damage award and collecting attorney fees would serve little purpose.

In our suit against the leaders of WAR for Mulegeta Seraw's death, we used Oregon's wrongful death statute in conjunction with traditional principles of vicarious liability: aiding and abetting and civil conspiracy. Most frequently associated with criminal law, these theories have long been utilized to attribute fault to persons who did not directly cause the victim's harm.

These principles underlie many common law tort claims. Civil conspiracy, for example, can make both drivers in a high speed auto chase liable to someone injured in a collision with just one of the cars. Similarly, an aiding and abetting theory can render persons who furnish a minor with alcohol civilly liable for injuries caused by the minor's drunk driving. Applied in the hate crimes context, aiding and abetting and civil conspiracy theories can each give victims a solid basis for establishing a case of vicarious liability.

Aiding and abetting

The aiding and abetting theory assigns liability to defendants who did not carry out the racist attack, but who "provided substantial assistance or encouragement" to those who did. This principle allows the law to catch defendants whose indirect involvement might otherwise allow them to escape unpunished and remain free to promote future hate crimes. The theory works well in practice because it fits the facts of many hate crimes.

The *Restatement (Second) of Torts* illustrates aiding and abetting with the classic example of incitement. A encourages B to throw rocks, while throwing none himself. When one of the rocks strikes C, a bystander, A becomes liable to C. This scenario depicts incitement that occurs immediately prior to violence. Although it mirrors the facts of some hate crimes, it is not analogous to cases like our Portland lawsuit because the California defendants did not urge the Portland skinheads to kill Seraw at the time or place of the killing.

Another example from the restatement, however, describes an additional category of potentially liable defendants. When a policeman "advises other policemen to use illegal methods of coercion upon B," the policeman is liable to B "for batteries committed in accordance with the advice."

This hypothetical assumes no close temporal link between the advice and the battery. Instead, it rests on the close relationship between the speaker and the actor, both of whom are policemen.

When the speaker occupies a higher position than the actor, the argument for liability becomes even stronger because the speaker knows that the actor will probably act on his advice. When an organized crime boss orders one of his henchmen to kill someone, for example, the crime boss becomes vicariously liable for his subordinate's acts. The fact that the henchman waited a month to execute the killing does not negate his boss' liability for the murder. Although that temporal lapse would be fatal to an incitement claim, it has no bearing on other aiding and abetting theories.

Despite the fact that the Metzgers were in California when East Side White Pride members murdered Seraw, two elements helped make them legally accountable for their actions. First, they had a pre-existing relationship with the perpetrators. They had known Mazzella for years and trained him to lead others in committing racist violence. They also wrote a letter to East Side White Pride that offered to work with them and introduced them to Mazzella. Second, the Metzgers sat in positions of authority over the Portland skinheads, through the Metzgers' leadership of WAR and WAR Youth. Like the ties between the crime boss and his henchman, the relationship between the Portland and California defendants pointed to the significance of the Metzgers' role in causing the murder.

As the Metzger case illustrates, the aiding and abetting theory fits the facts of many hate crimes. It depicts two or more independent actors, at least one of whom encouraged the other(s) to act. There is also a tremendous body of law concerning the aiding and abetting theory in civil suits, allowing lawyers to invoke the theory with relative ease.

Elements of proof: To prove an aiding and abetting claim, lawyers must establish several elements. The defendant must have provided the actor with substantial assistance or encouragement with the intention that the actor commit hate-motivated violence. The encouragement must have been a substantial factor in causing the violent conduct. The crime must also have been a foreseeable result of the assistance. Cases involving an agent, such as Mazzella in the Portland case, require additional proof that the defendant authorized the agent to provide the rendered assistance.

Civil conspiracy

Victims can also use a civil conspiracy theory to assign liability to all those responsible for bias crimes. When the relationship between two or more persons is close enough, one can infer that a conspiracy exists. Two persons, for example, who join in planning and burning a cross in front of an African-American family's home, have presumably conspired to burn the cross.

Instead of invoking the aiding and abetting assumption of two independent actors, civil conspiracy envisions an agreement between two or more persons. That agreement, rather than the assistance that one gives the other, forms the basis for liability. A meeting of the minds occurs, transforming the acts of one defendant into the acts of the other(s).

Some cases can be viewed both as conspiracy cases and aiding and abetting cases. For example, we presented both theories in our Portland trial. To prove the conspiracy claim, we stressed the direct ties between the Metzgers and the skinhead group, East Side White Pride, during the trial. Before Mazzella, the WAR export, arrived in Portland, John Metzger sent a letter to the skinhead group introducing Mazzella and offering to work with the group. After Seraw's killing, the skinhead who wielded the bat called Tom Metzger from jail. Facts such as these helped to establish the close linkage between the Metzgers and the Portland skinheads that ultimately led the jury to find that a civil conspiracy existed.
As every criminal lawyer knows, conspiracy law is extremely broad. The conspirators need not know the identity or even the existence of all other conspirators. A defendant need not have been involved throughout the conspiracy, nor know the details of the illegal plan. Defendants may be held liable without having planned or known about the specific injurious action. As a practical matter, one can prove civil conspiracy by showing that the defendants contemplated hate violence from the outset and that the violent incident was a foreseeable result of their plan.

Elements of proof. The plaintiff must prove several elements. The defendants must have agreed on a course of action. The primary purpose of that agreement must have been to promote incidents of hate violence. This violence must have occurred in furtherance of the agreed on course of action, and it must have been illegal or independently tortious.

First Amendment issues

Although hate mongers are no friend to civil rights, there is one right they all know: the right to freedom of speech under the First Amendment. Klan groups have often filed lawsuits to protect their right to picket and march. They can be expected to raise a First Amendment challenge to the claim in any lawsuit that seeks to hold the groups or leaders liable for the actions of their members.

Of course, our Constitution offers widespread freedom to say what you want. It has protected the NAACP's speech during an economic boycott that erupted in violence, and it ought to protect neo-Nazi groups' speech as well. In the pro-life movement, persons who advocate the killing of doctors who perform abortions receive First Amendment protection.

But preparing organized groups for violence is quite different than delivering a speech at a public gathering. The Supreme Court's decision in *Brandenburg v. Ohio* explicitly protected the abstract advocacy of violence. But in *Noto v. United States*, the Court explained that preparing a group for violence does not come within the First Amendment. Subsequent Court decisions, including *Brandenburg*, have cited the *Noto* rule with approval. Thus, someone who secretly makes violent plans with his loyal comrades and then carries those plans out leaves the First Amendment's protection far behind him.

In an aiding and abetting claim, the question becomes whether the substantial assistance given to the perpetrator is more similar to preparations for violence than to abstract advocacy. Training persons to commit racist violence can involve physical demonstrations or even the use of words alone. The trainer need not know what particular crimes will be committed to be liable for them, but only that his efforts are preparing foot soldiers to commit racist violence.

In the case of civil conspiracy claims, the First Amendment is much less of an issue. Under conspiracy law, the act of one defendant is the act of all the defendants. Thus, once a civil conspiracy has been proven, nothing in the First Amendment blocks the imposition of liability. The critical factor here lies simply in establishing that the conspiracy existed, a showing made by proving that there was both an agreement to commit hate violence and an act in support of that agreement.

Neither aiding and abetting nor civil conspiracy claims conflict with the First Amendment. The First Amendment clearly anticipates that the defendants' words can be used against them to establish their liability. Holding someone's words against her is commonplace in our legal system. The Supreme Court has always recognized that the fact that a crime was committed by words alone does not immunize it from being unlawful. No one, for example, seriously questions whether the state can prosecute someone for price fixing based on words alone. Similarly, the Court in *NAACP v. Claiborne Hardware Co.* made clear that the speeches of an NAACP leader could be used as evidence that he instructed others to commit violence. Thus, the First Amendment does not present significant barriers to lawsuits that claim that hate groups leaders are vicariously liable for hate violence. One has a right to hate in our country, but not a right to lead others to hurt.

The trial

Trying persons accused of committing hate crimes poses unique obstacles. An extraordinary level of pre-trial preparation is required because discovery has only limited value in these kinds of cases. Terrorist groups do not keep records of the crimes they have committed. Interrogatories will not work, because defendants will not admit to perpetrating past attacks. The value of discovery is often limited in these cases to uncovering information in the hands of third parties, such as phone records that can show contacts between actors and leaders. Lawyers can also use depositions to allow defendants to paint themselves into a corner.

To compensate for the weaknesses of discovery, we have had to turn to alternative sources of information. We perform our own detective work. We also try to cultivate ties to an insider who wants to come clean and do something to make up for his past racist acts. In the Portland case, Mazzella cooperated with us and testified against the defendants.

The trial itself demands great attention to detail. Although there are often numerous state and common law causes of action available, we win now down the number of claims to simplify issues for jurors. We also try to give jurors a sense of the importance of the case for both the victim and society.

The Metzger case demonstrates that theories of vicarious liability, like aiding and abetting and civil conspiracy, can work successfully in the context of hate crime litigation. Using them, we can fix blame where it belongs and give the victim a greater recovery--both in dollar and emotional terms. The Portland jury returned a verdict, which found all of the defendants guilty on all counts and awarded Seraw's family $12.5 million in damages. [The U.S. Supreme Court refused to hear Metzger's appeal.]

Winning a judgment against hate mongers is often only the first step in putting hate groups out of business. Unlike a corporation, neo-Nazi organizations are not in the habit of paying their legal debts to their victims. They can be expected to hide their property. Painstaking follow-up work is usually required to identify and seize a defendant's assets. Lawyers can learn considerable information about a group's assets simply by collecting white supremacist literature and monitoring the group's activities and public statements. We once located additional assets by tracing a defendant's bank accounts through third party contributions. Although difficult, enforcing judgments against hate groups helps to compensate current victims and prevent these groups from finding new Mulugeta Seraws to harm.

We as lawyers cannot literally stop hate violence before it occurs. But we can penalize both the leaders and foot soldiers who provoke racist confrontations. In so doing, we can give victims a measure of recovery and hopefully deter the leaders who incite hate-motivated violence from continuing down that deadly, racist path.

Morris Dees is co-founder and chief trial counsel at the Southern Poverty Law Center; Ellen Bowden is a Center staff attorney.

Fighting Hate Across the Nation

Leadership Conference Education Fund

Faces of Hate Crimes

Hate crimes are crimes targeted in which the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime, because of the actual or perceived race, color, national origin, ethnicity, gender, disability, or sexual orientation of any person.

Examples fall under the following categories:

- Attacks Upon African Americans
- Attacks Upon Asian-Pacific Americans
- Attacks Upon Arab-Americans
- Attacks Upon Gays and Lesbians
- Attacks Upon Individuals with Disabilities
- Attacks Upon Jews
- Attacks Upon Native Americans
- Attacks Upon Whites
- Attacks Upon Women
- Church Arsons

Attacks Upon African-Americans

Among groups currently included in the Hate Crime Statistics Act, the greatest number of hate crimes of any kind are perpetrated against African-Americans. From the lynching to the cross-burning and the church-burning, anti-black violence has been and still remains the prototypical hate crime - an action intended not only to injure individuals but to intimidate an entire group of people. Hate crimes against African-Americans impact upon the entire society not only for the hurt they cause but for the history they recall, and perpetuate.

Attacks Upon Arab-Americans

Especially in times of crisis in the Middle East or during incidents of domestic terrorism, the two to three million Americans of Arab descent are vulnerable to hostility, harassment, and violence. But, because the federal government does not recognize Arab-Americans as a distinct ethnic group, the Justice Department does not report on how many hate crimes are committed each year against Arab-Americans.

Arab-Americans suffer from being stereotyped as everything from exotic belly-dancers to desert nomads, terrorists, religious fanatics, and oil-rich sheiks. As with Jewish-Americans and Asian-Americans, Arab-Americans are often resented by residents of communities where they run small businesses. Arab Americans, many of whom are recent immigrants, must also deal with problems of nativism and anti-immigrant attitudes similar to that faced by Hispanics and Asian Americans. Too often, the media blame Arabs or Muslims for incidents to which they have no connection, such as the bombing of the federal office building in Oklahoma City. In fact, at least 227 incidents of harassment of Muslims were reported in a three-day period following the Oklahoma City bombing.

As with hate crimes against African-Americans and Jews, houses of worship are especially vulnerable for Arab Americans. During 1995, at least seven mosques were burned down or seriously vandalized.

Attacks Upon Asian Pacific Americans

Anti-immigrant sentiment also seems to be feeding attacks upon Asian-Americans. A study found that there were 461 anti-Asian incidents reported in 1995 - 2% more than in 1994 and 38% more than in 1993. The violence of the incidents increased dramatically, with assaults rising by almost 11%, aggravated assaults by 14%, and two murders and one firebomb attack committed. The number and severity of the incidents increased significantly in the two largest states, California and New York.

As with other minorities, violence against Asian-Americans feeds upon longstanding discrimination and contemporary tensions. Chinese, Japanese, and other Asian-Americans have been subjected to cycles of intolerance since they first arrived in the United States more than a century-and-a-half ago.

In the mines and on the railroads in the middle of the Nineteenth Century, Chinese-Americans were exploited as cheap labor by their employers and bitterly resented by other workers. Soon, the courts were treating Chinese-Americans as second-class citizens. In People v. Hall, the California Supreme Court prohibited people of Chinese descent from testifying in cases involving whites. This decision shielded whites from prosecution for crimes committed against Chinese-Americans. And it made Chinese-Americans even more vulnerable to violence and discrimination. For instance, in 1887 in Hells Canyon, Oregon, 31 Chinese gold miners were shot to death. Their six killers either escaped or were acquitted.

During the years before and during World War II, as Japan became the enemy of the United States, Japanese-Americans were treated as a threat to the nation. They were targeted for an unprecedented and egregious violation of civil rights - forcible relocation to internment camps, with complete disregard for their rights to due process. And, even though China was an ally of the United States, Chinese-Americans were also occasionally subject to hostility by whites who felt that all Asians were the enemy.

In recent decades, Asian Pacific Americans have been the targets of a range of resentments. Anti-Japanese sentiments remaining from World War II have been exacerbated by the resentment of economic competition from Japan and, more recently, South Korea. Although they are likely to have supported the governments of South Vietnam, Vietnamese immigrants have been the target of Americans' shame and anger at our defeat in the war in their native land.

Since those who tend towards intolerance are often unable to distinguish one national origin minority from another, these resentments have spilled over into hostility towards all Asian Pacific Americans. Meanwhile, for those who hate non-whites or fear immigrants and their children, Asian Pacific Americans are one more target for their free-floating rage. And these antagonisms have been aggravated by the stereotype of Asian Pacific Americans as "a model minority" - harder-working, more successful in school, and supposedly more affluent than most Americans. It is an image remarkably similar to the stereotype of Jews - a stereotype that fuels a mixture of admiration and resentment. In addition, some people do not accept Asian Pacific Americans as legitimate Americans viewing them as perpetual foreigners.

Attacks Upon Gays and Lesbians

Attacks upon gays and lesbians are increasing in number and in severity. During 1995, 2,212 attacks on lesbians and gay men were documented by the National Coalition of Anti-Violence Programs - an 8% increase over 1994.

More alarmingly, these attacks are becoming more violent. Nearly 40% of total incidents in 1995 involved physical assaults or attempted assaults with a weapon. These incidents resulted in injuries to 711 victims. Thirty-seven percent - 265 - of the people who were injured suffered serious injury or death. Of the victims who were injured, 38% received medical treatment in an emergency room or on an out-patient basis, 10% were hospitalized, and 19% needed, but did not receive, medical attention.

Worst of all, there were 29 gay-related murders. Most murders were accompanied by hideous violence including mutilation.

A sense of the brutality of the attacks can be conveyed by describing the weapons involved. In assaults involving weapons, bottles, bricks, and rocks were the most frequently used weapons, followed by bats, clubs, and blunt objects. Knives and other sharp objects were a close third. Gays and lesbians seem most at risk of attack when there is emotionally charged political debate and heightened media coverage about their rights and their role in society. In recent years, these issues have been raised in the controversies over gays in the military, gay marriage, and referenda in Oregon, Colorado, Maine, and other states and local communities. As with controversies about affirmative action and immigration, debates about gay/lesbian issues often demonize the members of minorities already subject to discrimination.

As with African-Americans, Hispanics, and other minorities, gays and lesbians often feel isolated and vulnerable because of the difficult relationship between their communities and many police departments. That is one reason why the rate of reporting incidents of violence against gays and lesbians to the police - an estimated 36% in 1995 - is significantly less than the estimated reporting rate of 48% for all crimes. Moreover, even when victims reported an incident to the police and stressed its biased nature, more than half the time police failed to classify the incidents as bias-motivated.

Attacks Upon Hispanics

Of 814 hate crimes in 1995 that were motivated by bias based on ethnicity or national origin, 63.3% - 516 in all - were directed against Hispanics.

In California and throughout the Southwest, long-existing antagonisms against Hispanics have been aggravated by the furor over immigration. With job opportunities declining at a time of defense cutbacks and economic recession, there have been renewed calls for restrictions against legal immigration and harsh measures against undocumented immigrants. In November, 1994, 59% of California voters approved a statewide referendum proposal, Proposition 187, which declares undocumented immigrants ineligible for most public services, including public education and non-emergency health care.

As with attacks upon African-Americans and Jews, attacks upon Hispanics are part of a history of hatred. In California and throughout the Southwest, there have been recurring periods of "nativism," when not only newcomers but longtime U.S. citizens of Mexican descent have been blamed for social and economic problems. During the Depression of the 1930's, citizens and non-citizens of Mexican descent were the targets of mass deportations, with a half million

"dumped" across the border in Mexico. In the early 1950's, a paramilitary effort, with the degrading name "Operation Wetback," deported tens of thousands of Mexicans from California and several other southwestern states. The historian Juan Ramon Garcia describes the climate of fear and hatred that existed from the 1930's through the '50s:

"The image of the mysterious, sneaky, faceless "illegal" was once again stamped into the minds of many. Once this was accomplished, "illegals" became something less than human, with their arbitrary removal being that much easier to justify and accomplish." While illegal immigration and its impact on public services is a legitimate concern, much of the recent debate has echoed the nativist rhetoric of earlier eras. For instance, Ruth Coffey, the founder of Stop Immigration Now, told the Los Angeles Times:

> "I have no intention of being the object of "conquest," peaceful or otherwise, by Latinos, Asians, Blacks, Arabs, or any other group of individuals who have claimed my country." And Glenn Spencer, president of Voices of Citizens Together, which collected 40,000 signatures to qualify Proposition 187 for the ballot, said: "We have to take direct and immediate action to preserve this culture and this nation we have spent two centuries building up."

During the emotionally charged debate over Proposition 187, hate speech and violent acts against Latinos increased dramatically. And, in the aftermath of the approval of 187, civil rights violations against Latinos went on the upswing, with most of the cases involving United States citizens or permanent legal residents. All in all, in the Los Angeles metropolitan area alone, the County Human Relations Commission documented an 11.9% increase in hate crimes against Latinos in 1994.

Attacks Upon Individuals with Disabilities:

People with disabilities are often seen as easy targets for crimes. They may appear more "helpless" than able-bodied persons. Hate crimes against people with disabilities are not necessarily confined to attacks on the physical body. Instead, these kinds of hate crimes also include those in which an instrument (such as a wheelchair or scooter) is being violated. In these cases, the object of the hate is an instrument that is a symbol of the disability. Even though these crimes seem like an indirect attack, they are in fact a direct attack upon all persons with disabilities.

Attacks Upon Jews

Of attacks upon individuals or institutions because of their religion, the overwhelming majority - 82% of such crimes reported by the FBI for 1995 - were directed against Jews.

As with attacks upon African-Americans, hate crimes against Jews draw upon centuries of such assaults, from the pogroms of Eastern Europe to the Nazi Holocaust to the cross-burnings of the Ku Klux Klan in this country. Hate crimes against Jews in the United States range from physical assaults upon individuals to desecrations of synagogues and cemeteries and the painting of swastikas on private homes. As with hateful acts upon other minorities, the pain is increased by arousing feelings of vulnerability and memories of persecution, even extermination, in other countries and in other times.

Hatred against Jews is fed by slanders and stereotypes that have their origins in Europe extending back for centuries. These range far beyond the view that Jews were "Christ-killers" and include conspiracy theories involving "international bankers," the State of Israel, and groups ranging from communists to freemasons. Such views are spread by groups on the political right as well as on the left who find little basis for agreement except for their anti-Semitism. As in the

past, these extremists have tried to exploit the hardships of Americans from unemployed industrial workers to hard pressed farmers. Similarly, extremists associated with some black nationalist groups have promoted anti-Semitic conspiracy theories within the black community, exploiting the pain of poverty and discrimination and exacerbating tensions between African-Americans and Jews.

Attacks Upon Native Americans

Ever since White settlers arrived to the Americas hundreds of years ago, Native American groups have been subjected to violence. Native Americans were seen as "uncivilized savages" in the eyes of the European groups. The Europeans felt that the Native Americans were not using their land to its fullest potential. This is one of the justifications Europeans used to commit crimes against the native people. Native Americans were pushed from their land with the use of violence and force. Even today, the effects of this history can be seen among Native American groups. Violence, in many forms, continue to be committed against Native Americans.

Attacks upon White Americans:

When we think of hate crimes, we may not consider that Whites could be the victims of such crimes solely because of their race as opposed to their religion, ethnicity, gender of sexual orientation. Whites are often seen as the perpetrators. The following is a list of hate crimes targeted at Whites simply because they are White.

However, it is important to note that not all hate crimes are the same and that the motives vary. Crime committed by a member of a minority group against a White person may be seen as an angry reaction to a history of White racism and oppression. However, a crime committed by a White person against a minority group member may be a manifestation of White racism.
On July 17, 1996, an African American male harassed a White male for not giving him a cigarette. The African American called the victim "a white honky mother f---er" and pushed the victim, causing him to fall to the ground.

In April 1994, a White father of three was murdered by two African American men in Lubbock, Texas. The murderers admitted that they sought out a White victim.

On April 21, 1998, a 35 year old white woman was attacked while waiting for a bus in the Chicago area by a black man and black woman driving by in a car. Apparently, the black woman called the victim a "white -----" and said to her, "Get out of my neighborhood, and if you come back, I have a bat." The assailant beat the woman with her fists and left the scene of the crime.

Attacks Upon Women

In recent years, many women's advocates have spoken out about the alarming rate of violent physical and sexual assaults against women. Although the most common forms of violence against women have traditionally been viewed as "personal attacks," or even the victim's "own fault," there is growing recognition that, as one woman's advocate testified before Congress: "women and girls...are exposed to terror, brutality, serious injury, and even death because of their sex."

Society is beginning to realize that many assaults against women are not "random" acts of violence but are actually bias-related crimes. However, the Hate Crime Statistics Act was passed, signed into law, and recently reauthorized without including hate crimes against women as a class. Other federal laws and many state hate crime statutes also exclude bias crimes targeting women.

This is wrong - and should be corrected. As with hate crimes against racial, ethnic, religious, and sexual minorities, hate crimes against women are a form of discrimination. Gender-motivated violence reflects some men's efforts to dominate and control women. These crimes are encouraged by stereotypes of what women are and how women should act. And these crimes are often accompanied by hateful epithets against women as a group of people.
To be sure, not every violent assault against a woman is a hate crime - just as not every crime against an African-American is based on bigotry. And, men as well as women face robbery on the street and burglary in the home. However, crimes that present evidence of bias against women should be considered hate crimes. And, with these crimes, society should look for identifying factors similar to those present in other hate crimes.

These factors may include evidence of sexual assault, and the extreme brutality and cruelty that characterize bias-related crimes. Many crimes against women reflect a resistance to their efforts to achieve equality. These crimes are often intended to intimidate women into staying in - or returning to - their "place" of subservience to men at home, in the workplace, and throughout society.

Women of color experience discrimination based on gender as well as race, national origin, religion, language and sexual orientation. These forms of discrimination are not always separable. And, without protections against gender-based attacks, such women's unique experiences of intersecting forms of prejudice cannot be fully recognized - or remedied.
Because women as a class are not covered by the Hate Crime Statistics Act, the FBI keeps no records of gender-based hate crimes. Thus, there are no federal government surveys of hate crimes against women. However, statistics gathered on rapes and domestic assaults demonstrate the pervasiveness of violence against women. Approximately 683,000 adult women are raped each year. And, between 1992 and 1993, current and former husbands and other current and former intimate partners committed more than a million assaults, rapes, and murders against women.

Some studies do attempt to identify the number of violent assaults against women that may be motivated by gender bias. For instance, in Arkansas, a mostly rural state with a population of 2.3 million, 81 women were murdered in 1990 in cases where robbery was not a motive, according to the Arkansas Women's Project. Some were raped and killed. Others were murdered with extreme cruelty and disfigurement.

Church Arsons

An example of the historic continuity in the attacks upon black churches is the troubled history of St. John Baptist Church in Dixiana, South Carolina. Founded in 1765, the church has been the target of attacks throughout its history - a period that spans the eras of slavery, the Civil War, Reconstruction, segregation, and civil rights.

In 1983, while Sunday services were underway, a group of whites shot out the church's windows. Coming back later in the day, they scrawled "KKK" on the door, destroyed the piano, smashed the crucifix, tore up the Bibles, scattered beer cans on the pews, and even defecated on the sacrament cloth. Over the next 12 years, more than 200 people were arrested for acts of vandalism against the church. Then, on August 15, 1995, the church was burned down. And, in May, 1996, three white teenagers were arrested and charged with burning down the church.
St. John Baptist Church was one of at least 73 African-American churches that suffered suspicious fires or acts of desecration since January 1, 1995.

While the great majority of the incidents took place in the South, other parts of the country have not been immune. For instance, in January, 1994, two members of the Fourth Reich Skinheads were sentenced to prison terms for plotting an attack on the historic First African Methodist Episcopal Church in South-Central Los Angeles. The racist skinheads had hoped that the attack, which was averted by their arrest, would trigger a race war.

As the church-burnings have aroused increasing public concern, several commentators, including the editorial page of the New York Post, have called the issue a "hoax." While there is not definitive evidence of a national conspiracy - and civil rights advocates have not contended there is - these facts cannot be obscured:

73 predominantly black churches have been burned or desecrated since January, 1995.
A USA Today investigation found that, although a number of white churches have burned since January 1995, the rate of black church arsons is more than double what it had been in earlier years. And, of course, there are many fewer black churches (65,000) than white churches (300,000), so a much higher percentage of black churches have been burned.

The USA Today investigation also found "two well-defined geographic clusters or 'Arson zones' where black church arsons are up sharply over the last three years."

The zones are:
a 200-mile oval in the mid-South that encompasses western Tennessee and parts of Alabama and Mississippi," and another area that "stretches across the Carolinas, where the rate of black church arsons has tripled since 1993."

Of those who have been arrested or prosecuted for destroying black churches since 1990, the majority have been white males between the ages of 14 and 45. And, of the 39 people who have been arrested in the arsons that occurred since January 1995, 26 have been white, 13 black.

Since 1990, at least 13 of the arsons of black churches took place in January around the holiday commemorating the birth of the Rev. Martin Luther King, Jr.

All this suggests that President Clinton is correct: "We do not have evidence of a national conspiracy, but it is clear that racial hostility is the driving force behind a number of these incidents. This must stop."

For more information on the Leadership Conference Education Fund, go to:
http://www.civilrights.org
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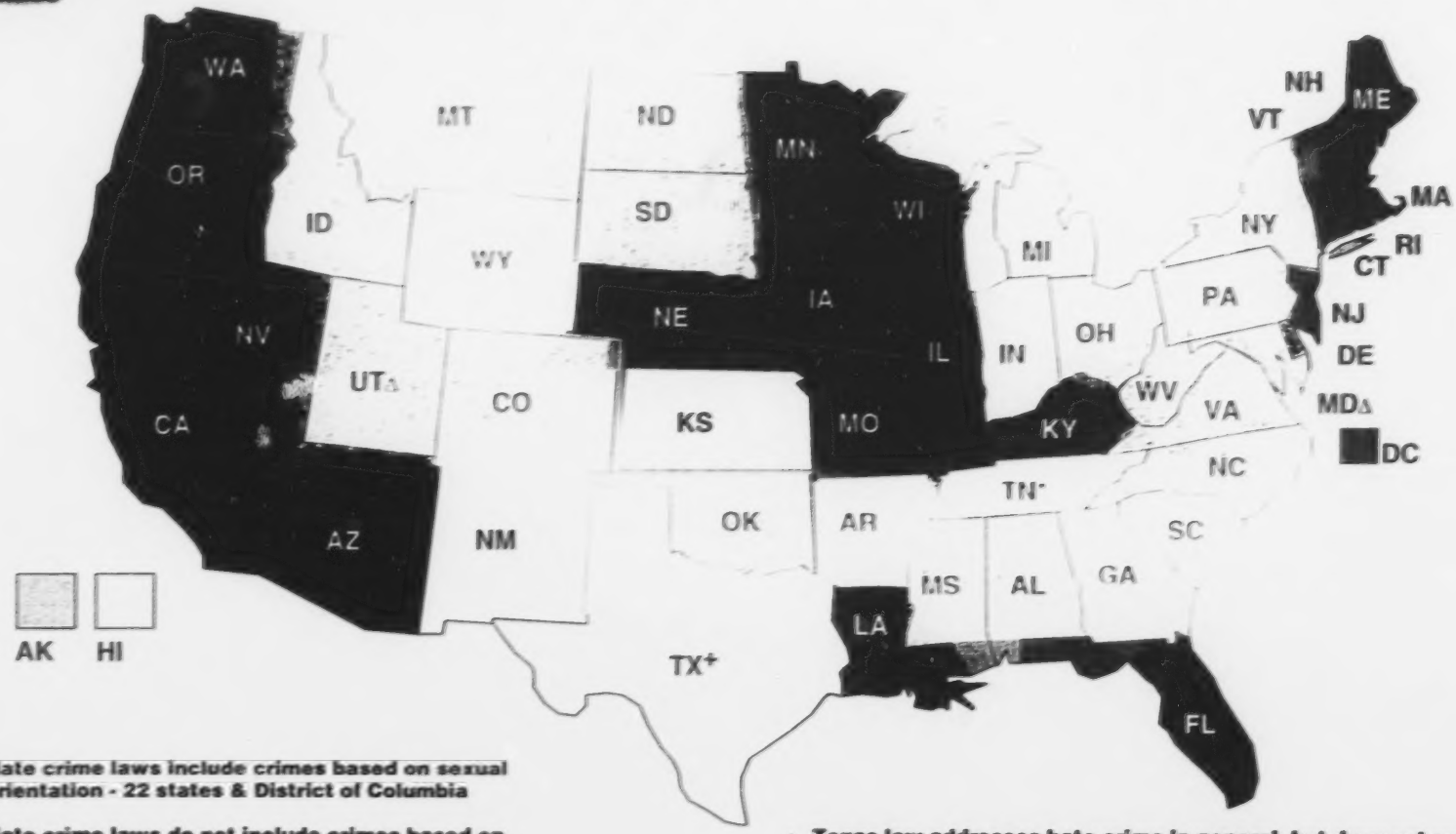
National Gay and Lesbian Task Force
Hate Crime Laws in the United States
July 1999



■ **Hate crime laws include crimes based on sexual orientation - 22 states & District of Columbia**

▨ **Hate crime laws do not include crimes based on sexual orientation - 18 states**

□ **Do not have hate crime laws that include crimes based on any characteristics - 10 states**

\+ **Texas law addresses hate crime in general, but does not name specific characteristics, and is essentially unenforceable.**

Δ **Maryland and Utah hate crime data collection laws include sexual orientation, but hate crime penalty laws do not.**

* **Tennessee has a "civil rights intimidation" law that does not apply to sexual orientation.**

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Intelligence Project

Active Hate Groups in the U.S. in 1998

This list of active hate groups is based on information gathered by the Intelligence Project from hate groups' publications, citizens' reports, law enforcement agencies, field sources and news reports. Only organizations known to be active in 1998, whether that activity included marches, rallies, speeches, meetings, leafleting, publishing literature or criminal acts, were counted in the listing. Entities that appear to exist only in cyberspace are not included because they are likely to be individual Web publishers who like to portray themselves as powerful, organized groups. This listing contains all known chapters of hate organizations. If the group has a known headquarters, it appears first in the listing of the group's chapters.

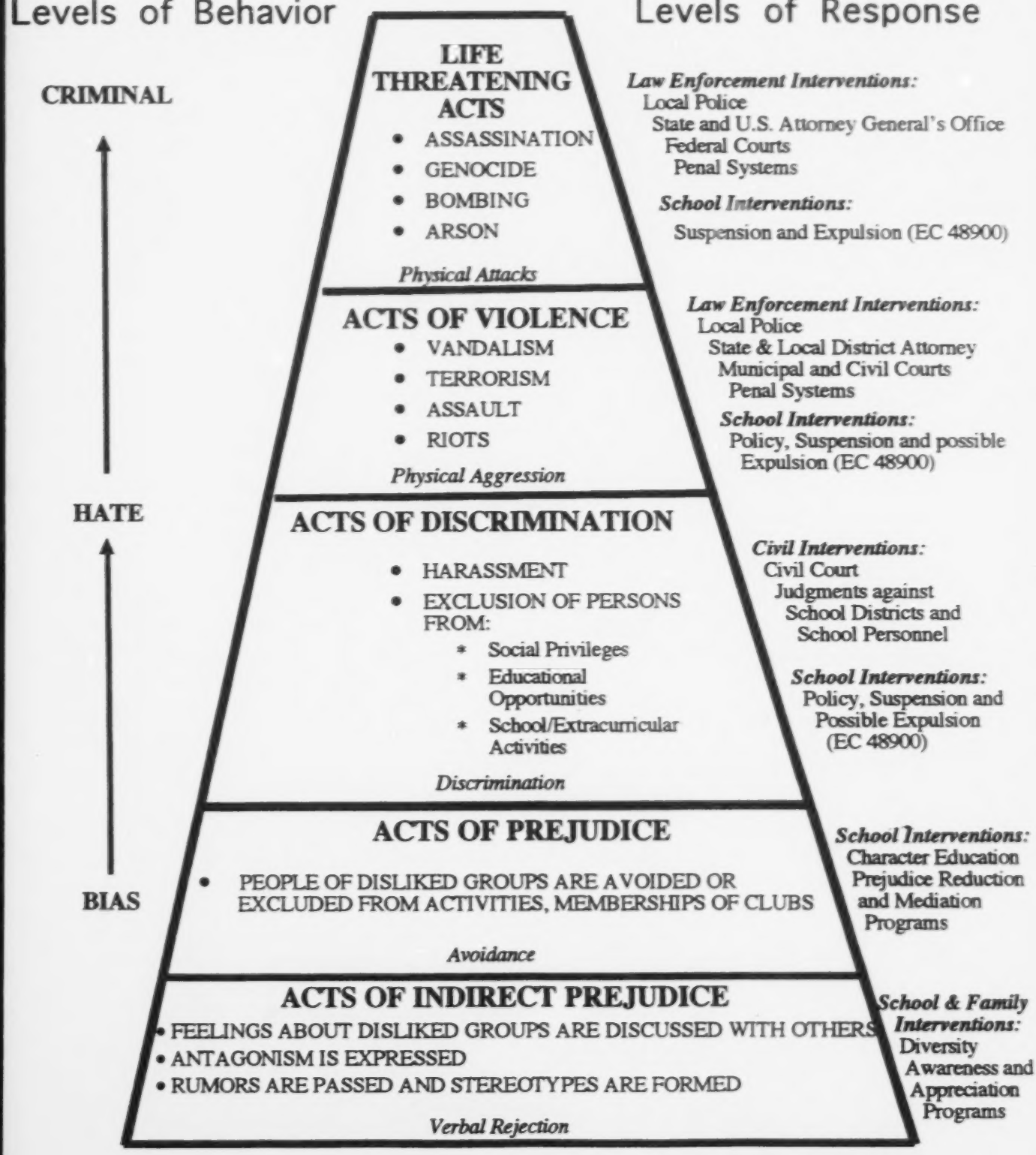
Groups are categorized as Klan, Neo-Nazi, Skinhead, Christian Identity, Black Separatist and Other. Only racist Skinheads are included in the Skinhead tally. Because Skinheads are migratory and often not affiliated with groups, this listing understates their numbers. Christian Identity describes a religion that is fundamentally racist and anti-Semitic. Black Separatist groups describes organizations whose ideologies include tenets of racially based hatred. The Other category includes groups and publishing houses endorsing a hodgepodge of hate doctrines.

For further information, please contact the Intelligence Project.

Section 5

Resources: Recognizing Hate Behavior and Preventing Hate in Your Community

HATE BEHAVIOR PYRAMID



Alameda County Office of Education
(510) 670-4220

NO HATE
RESOURCE SITE:

Response to Hate Crimes in the Miami University Community

http://www.muohio.edu/nohate/

Background on this site:

Hate crimes can and do occur anywhere. What differentiates communities is how they respond to such incidents. Are they ignored or are they condemned? Do victims receive widespread support?

This anti-hate site was created as part of a community-wide effort following the brutal beating of an African-American student as he and a white friend were walking down a residential street near campus in the early morning hours of Jan. 19, 1998. Miami University faculty, staff and students, and City of Oxford residents came together to decry the beating. A reward fund was established. Community meetings were held. No-hate buttons and signs with the logo "Silence is acceptance, speak loudly" were distributed. A series of events that promoted diversity were held and publicized.

An update on the crime that prompted the site:

Eventually, two white men were arrested in the attack. Steve Cole, 19, of Oxford, pleaded guilty to felonious assault and was sentenced September 24, 1998 to six years in prison. His friend, Jeffery Eberle, 20, of Loveland, also pleaded guilty and was sentenced Oct. 9, 1998 to six years in prison. The Cincinnati Enquirer reported that Cole's mother in requesting leniency said her son has been an alcoholic and drug addict since his father introduced him to drugs and alcohol when he was 13. The judge responded that Cole's poor upbringing did not excuse the viciousness of the attack.

The judge who sentenced Eberle called the act "senseless and brutal." The U.S. Attorney's Office in Cincinnati will decide whether to file federal hate crime charges.

The victim in the attack withdrew from school while he recuperated from his injuries, including undergoing reconstructive facial surgery. He is now back at Miami.

What you can do:

Because much of the anti-hate bibliography and other information collected remains valuable, this site will continue to exist and be updated in the hope that students at Miami as well as at other campuses will find it helpful. Each member of the Miami community is asked to commit himself or herself to creating an environment that is comfortable for all of its members. While physical attacks are rare, demeaning jokes or harassing or nuisance phone calls or e-mail message are not uncommon at Miami or on other college campuses. Combating such indignities should be a priority for everyone.

Action steps:

- Speak out when jokes or comments are made that are hateful or demean others because of their race, religion, gender or sexual preference.
- Ask yourself if you use derogatory, degrading or offensive terms in describing others and if you avoid people who are different from yourself.
- Save the e-mail message or voicemail message if you are the victim of a harassing or nuisance phone call. Report the incident to police immediately.
- Educate yourself on the psychology of hate. Statistics indicate that most hate callers are white males under the age of 22 with low self-esteem. The motivation is typically a feeling of disenfranchisement. Such a caller is angry because he perceives he is not getting what is due him.
- Wear or display the anti-hate logo.

Remember that hate crimes can and do occur everywhere, but the difference is how communities respond. In fact, Miami and Oxford's hate crime rates (as reported in the federal Uniform Crime Report) are among the lowest in Ohio. But even one incident is too many. And in this community silence about such situations is not acceptable.

Ten Hate Violence Prevention Resources and Publications on the Web

1. *1999 Hate Crimes Laws*, Anti-Defamation League, 1999
   http://www.adl.org/frames/front_99hatecrime.html

2. California Safe Schools and Violence Prevention
   http://www.cde.ca.gov/spbranch/safety/safetyhome.html

3. *Early Warning, Timely Response*, U.S. Department of Education
   http://www.ed.gov/offices/OSERS/OSEP/earlywrn.html

4. Gay, Lesbian, and Straight Education Network
   http://www.glstn.org

5. *Hate Motivated Crime and Violence: Information for Schools, Communities, and Families*, National Education Association, 1998
   http://www.nea.org/issues/safescho/prevention.html

6. *Hate Prevention Steps for Schools*, The Governor's Task Force on Hate Crimes, Commonwealth of Massachusetts
   http://www.Stophate.organization/prevention.html

7. *Policymaker's Guide to Hate Crimes*, Bureau of Justice Assistance, 1997
   http://www.ojp.usdoj.gov/BJA/txt/pgthc.txt

8. *Preventing Youth Hate Crimes*, U.S. Department of Education, 1998
   http://www.ed.gov/pubs/HateCrime/start.html
   [Enter the lower – and uppercases exactly on this site]

9. *Protecting Students from Harassment*, U.S. Department of Education, 1999
   http://www.ed.gov/pubs/Harassment/

10. *Responding To Hate At School*, Teaching Tolerance Southern Poverty Law Center, 1999
    http://www.teachingtolerance.org

Presentation: Hate Violence Prevention in Schools
Michael Wong, Presenter

Michael J. Wong Consulting, 758 34th Avenue, San Francisco, CA 94121
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SOMEWHERE IN AMERICA...

EVERY HOUR
SOMEONE COMMITS A HATE CRIME.

EVERY DAY
EIGHT BLACKS, THREE WHITES, THREE GAYS, THREE JEWS AND ONE LATINO BECOME HATE CRIME VICTIMS.

EVERY WEEK
A CROSS IS BURNED.

Hate in America is a dreadful, daily constant. The dragging death of a black man in Jasper, Texas; the crucifixion of a gay man in Laramie, Wyoming; and the murder of 168 citizens in Oklahoma City are not "isolated incidents." They are eruptions of a nation's intolerance.

Bias is a human condition, and American history is rife with prejudice against groups and individuals because of their race, religion, disability, sexual orientation and other differences. The 20th Century saw major progress in outlawing discrimination and most Americans today support integrated schools and neighborhoods. But stereotypes and unequal treatment persists, an atmosphere often exploited by hate groups.

When bias motivates an unlawful act, it is considered a hate crime. Race and religion inspire most hate crimes, but hate today wears many faces.

Forty percent of bias crimes target blacks and 13 percent are anti-white, but the greatest growth in hate crimes in recent years is against Asians and homosexuals, according to FBI statistics. Once considered a Southern phenomenon, today seven out of eight hate crimes take place in the North and West. In the late 1990s there were more public Ku Klux Klan rallies, complete with white sheets, in Pennsylvania than in Alabama. States with large immigrant populations, such as California, find the "hate line" between people of color. Spread on the Internet and accessible by personal computers, hate clearly knows no geographic boundaries.

THE GOOD NEWS IS...

All over the country people are fighting hate. Standing up to hate mongers. Promoting tolerance and inclusion. More often than not, when hate flares up, good erupts, too.

This guide sets out 10 principles for fighting hate along with a collection of inspiring stories of people who acted, often alone at first, to push hate out of their communities. Their efforts usually made smaller headlines than the acts of the haters, but they made a difference. Even in the wake of some of the most horrific hate crimes of the last century, seeds of promise sprouted.

Whether you need a crash course to deal with an upcoming Ku Klux Klan rally, a primer on the media or a long-range plan to promote tolerance in your community, you will find practical advice, good examples and additional sources in this guide. The steps outlined here have been tested in scores of communities across the U.S. by a wide range of human rights, religious and civic organizations. Our experience shows that one person, acting from conscience and love, can neutralize bigotry. A group can create a moral barrier to hate.

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http://www.splcenter.org (CLICK ON INTELLIGENCE PROJECT)

TEN WAYS TO FIGHT HATE

1. ACT

Do something. In the face of hatred, apathy will be interpreted as acceptance -- by the haters, the public and, worse, the victim. Decency must be exercised, too. If it isn't, hate invariably persists.

2. UNITE

Call a friend or coworker. Organize a group of allies from churches, schools, clubs and other civic sources. Create a diverse coalition. Include children, police and the media. Gather ideas from everyone, and get everyone involved.

3. SUPPORT THE VICTIMS

Hate-crime victims are especially vulnerable, fearful and alone. Let them know you care. Surround them with people they feel comfortable with. If you're a victim, report every incident and ask for help.

4. DO YOUR HOMEWORK

Determine if a hate group is involved, and research its symbols and agenda. Seek advice from anti-hate organizations. Accurate information can then be spread to the community.

5. CREATE AN ALTERNATIVE

Do NOT attend a hate rally. Find another outlet for anger and frustration and people's desire to do something. Hold a unity rally or parade. Find a news hook, like a "hate-free zone."

6. SPEAK UP

You, too, have First Amendment rights. Hate must be exposed and denounced. Buy an ad. Help news organizations achieve balance and depth. Do not debate hate mongers in conflict-driven talk shows.

7. LOBBY LEADERS

Persuade politicians, business and community leaders to take a stand against hate. Early action creates a positive reputation for the community, while unanswered hate will eventually be bad for business.

8. LOOK LONG RANGE

Create a "bias response" team. Hold annual events, such as a parade or culture fair, to celebrate your community's diversity and harmony. Build something the community needs. Create a Web site.

9. TEACH TOLERANCE

Bias is learned early, usually at home. But children from different cultures can be influenced by school programs and curricula. Sponsor an "I have a dream" contest. Target youths who may be tempted by skinheads or other hate groups.

10. DIG DEEPER

Look into issues that divide us: economic inequality, immigration, homosexuality. Work against discrimination in housing, employment, education. Look inside yourself for prejudices and stereotypes.

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Reprinted from the Anti-Defamation League's

Prejudice: 101 Ways You Can Beat It!

Is it a Hate Crime?

Definition of a Hate Incident

Hate-motivated incidents are defined as behavior which constitutes an expression of hostility against the person or property of another because of the victim's race, religion, disability, gender, ethnicity or sexual orientation. However, hate-motivated incidents include those actions that are motivated by bias, but do not meet the necessary elements required to prove a crime. This may include such behavior as nonthreatening name calling, using racial slurs or disseminating racist leaflets.

Definition of a Hate Crime

Hate crimes are defined under specific penal code sections as an act or an attempted act by any person against the person or property of another individual or group which in any way constitutes an expression of hostility toward the victim because of his or her race, religion, sexual orientation, national origin, disability, gender or ethnicity. (Elements of crime statutes and protected classifications vary from state to state.) This includes but is not limited to threatening phone calls, hate mail, physical assaults, vandalism, cross burnings, destruction of religious symbols and fire bombings.

Often when incidents of either bigotry or other acts motivated by hate occur, it is left to the victims and members of the particular group that has been attacked to speak out.

This should not be the case. We believe that if one group is attacked, it is as though all groups have been attacked. We all have a duty to respond. Many times, good people may feel outraged but do not know how to respond. Thus, when an incident occurs, precious time is lost struggling with this question. What follows are some specific suggestions that may help facilitate a prompt and effective response.

A Citizen's Action Guide

Prejudice is a negative or hostile attitude, opinion or feeling toward a person or group formed without adequate knowledge, thought or reason and based on negative stereotypes.

Prejudice is the result of "prejudgment" and often leads to discrimination. No one is born prejudiced! Prejudice is learned and can be unlearned. Prejudices are attitudes rooted in ignorance and a fear of differences. Whether the seeds are planted around the dinner table, on the playing field, by the water cooler or in the boardroom, they can grow out of control.

Even worse, when not uprooted, prejudices get passed on from one generation to the next and can fuel discrimination, victimization, bigotry and hate. With awareness, education and action, we can weed them out. Community leaders, students and teachers who participate in the Anti-Defamation League's A WORLD OF DIFFERENCE Institute programs repeatedly ask us for specific ideas on how to encourage others to take up the fight against hate. In response to their requests, we have developed this citizen action guide. In the web pages that follow, you will find a wealth of creative approaches and solutions you can apply to your community. We have also included important factual information to help you distinguish between incidents motivated by hate and hate crimes punishable by law as well as a glossary of terms to establish a common language. Even worse, when not uprooted, prejudices get passed on from one generation to the next and can fuel discrimination, victimization, bigotry and hate. With awareness, education and action, we can weed them out. Community leaders, students and teachers who participate in the Anti-Defamation League's A WORLD OF DIFFERENCE Institute programs repeatedly ask us for specific ideas on how to encourage others to take up the fight against hate. In response to their requests, we have developed this citizen action guide. In the web pages that follow, you will find a wealth of creative approaches and solutions you can apply to your community. We have also included important factual information to help you distinguish between incidents motivated by hate and hate crimes punishable by law as well as a glossary of terms to establish a common language.

HOW TO USE THIS GUIDE

To make this guide "user friendly" and a practical resource for individuals and members of institutions in every community, we divided the of suggestions into separate categories: home, school, workplace, house of worship and community-at-large. Please note that any one of these 101 ways to fight prejudice can be implemented as is or custom-tailored to meet the specific needs of a group. An idea that appears in one category can be easily adapted to work in another. For example, number 83 listed under **In Your House of Worship** can easily become the model for a **Community-wide** effort; number 89 listed under **In Your Community** makes a terrific **School** project and numbers 4 and 6 listed under **In Your Home** apply in every category.

In Your Home

1. Know your roots and share your pride in your heritage with others.
2. Celebrate holidays with extended family. Use such opportunities to encourage storytelling and share personal experiences across generations.
3. Invite friends from backgrounds different from your own to experience the joy of your traditions and customs.
4. Be mindful of your language; avoid stereotypical remarks and challenge those made by others.
5. Speak out against jokes and slurs that target people or groups. Silence sends a message that you are in agreement. It is not enough to refuse to laugh.
6. Be knowledgeable; provide as much accurate information as possible to reject harmful myths and stereotypes. Discuss as a family the impact of prejudicial attitudes and behavior.
7. Plan family outings to diverse neighborhoods in and around your community and visit local museums, galleries and exhibits that celebrate art forms of different cultures.
8. Visit important landmarks in your area associated with the struggle for human and civil rights such as museums; public libraries and historical sites.
9. Research your family tree and trace your family's involvement in the struggle for civil and human rights or the immigration experience. Identify personal heroes and positive role models
10. Read and encourage your children to read books that promote understanding of different cultures as well as those that are written by authors of diverse backgrounds.

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In Your School

11 Recite the A WORLD OF DIFFERENCE® Institute pledge, or a similar pledge against prejudice created by your student body, at a school-wide assembly.

12 Display a poster-size version of the pledge in a prominent area of your school and encourage people to sign it.

13 Establish a Diversity Club that serves as an umbrella organization to promote harmony and respect for differences. Reach out to sports teams, drama clubs and language clubs for ideas and involvement. If your school already has a Diversity Club, hold a membership drive.

14 Initiate classroom discussions of terms such as anti-Semitism, racism, sexism, homophobia and bias. Then compose a list of definitions and post it in a prominent place.

15 Invite a motivational speaker who is a recognized civil or human rights leader to address an all-school assembly. Videotape the speech and publish an interview with the speaker in the school and local newspapers.

16 Organize an essay contest whose theme is either a personal experience with prejudice or a success story in the fight against it. Suggest that the winning entries be published in your school newspaper, featured in your town newspaper, highlighted on a local cable program, or sent to the ADL office.

17 Create an anti-prejudice slogan for your school that could be printed as a bumper sticker and sold in the wider community to raise funds for these efforts.

18 Hold a "Rock Against Racism" or a concert, dance-a-thon, bike-a-thon, car wash or battle-of-the-bands and donate the proceeds from ticket sales to underwrite diversity training and other programs for the school.

19 Form a student-faculty committee to write "Rules of Respect" for your school and display the finished set of rules in every classroom.

20 Invite your district attorney, police chief or a representative from the attorney general's office to speak to your school about civil rights, hate crimes and other legal aspects of the fight against prejudice.

21 Designate a wall space on or near school grounds where graffiti with a harmonious and unifying message can be written, drawn or painted.

22 Publish a newsletter specifically devoted to promoting respect for diversity and publicizing multicultural events. Try to have your local newspaper or community Internet Home Page do the same.

23 Encourage representation of all students on every school board, committee, group, publication and team.

24 Write an original song/chant/rap that celebrates your school's diversity, and perform it at school rallies and other events.

25 Create a flag or poster that symbolizes your school's ideal of diversity, and display it at games, assemblies and other school events.

26 Hold a T-shirt contest to come up with a logo or slogan like "I Don't Put Up With Put-Downs." The winning T-shirt design could be printed and sold at your school bookstore or in local shops, at community events or sports competitions.

27 Create a calendar with all the holidays and important civil rights dates represented in your school community.

28 Participate in a poster campaign such as ADL's "You Can't Turn Your Face Away From Hate" that encourages people to intervene when confronted with instances of prejudice.

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29 Create an orientation program that addresses the needs of students of all backgrounds so that they feel welcome when joining the student body.

30 Initiate a pin drive in which students look for pins with positive slogans and tack them onto a designated bulletin board in the student lounge or other central gathering area.

31 Poll your teachers about their ethnic/cultural backgrounds and experiences and their experiences with prejudice. Ask each to write a short paragraph on the subject that can be compiled along with photos in a teacher "mug book."

32 Produce a "Proud Out Loud" video comprised of interviews with students and their grandparents about their ethnic heritage and why they are proud of it.

33 Host a Poetry Slam in which students read aloud original poems/raps that break down stereotypes and promote respect for diversity. Invite participants to present their work to PTA meetings, Chamber of Commerce events, and other community groups.

34 Research pro-diversity Web sites. Then build a Web page for your school and link it to others on the Internet.

35 Contact ADL about monitoring hate activities on the Internet

36 Create a student-run Speakers Bureau where students of different backgrounds speak about their heritage. Identify local community leaders, civil rights veterans, Holocaust survivors and others to partner with students in this effort.

37 Devise a skit contest with themes that promote diversity.

38 Turn a school assembly into a game show for students of all grades called "Cultural Pursuit." Ask teachers to develop questions covering every discipline and hold "culture bees" in their classrooms to determine assembly contestants.

39 Devote time in art classes to designing a Diversity Quilt with each patch representing a student's individual heritage. Have all classes combine their patchwork squares to form a school quilt for display in the community.

40 Organize a No-Ethnic-Humor Open-Mike Nite featuring stand-up comedy by students.

41 Meet with food services at your school to discuss the possibility of featuring ethnic cuisines on a regular basis. Consult with local restaurants and community groups to participate in the program

42 Request that a student-faculty committee establish an annual A WORLD OF DIFFERENCE® Institute Day when regular classes are suspended and community members and leaders are invited to speak on and explore diversity with students. Consult with ADL to plan this program

43 Construct a multimedia display that examines how today's media perpetuates stereotypes. Consider current films, television sitcoms, music and advertising campaigns, in addition to newspapers, magazines and books

44 Research peace negotiations going on around the world regarding ethnic or racial conflict. Then stage a Mock Summit in which students take on the roles of international leaders and try to resolve these crises

45 Look for examples of youth who have struggled to overcome oppression throughout history and create an original dramatic performance based on their experiences.

46 Sponsor a "Dance for Diversity" dance-a-thon and approach a local radio station about broadcasting live from your event. The station could also run student-written PSAs leading up to and following the event

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47 Establish a school exchange that matches students from different schools to bring youth of differing backgrounds closer together.

48 Start an annual multicultural film festival at your school. Invite community groups and local theaters to be cosponsors.

49 Recreate the Ellis Island Immigration Station for a school-wide event. Involve teachers from all disciplines to create period costumes and scenery, and to prepare traditional foods. Issue passports to all students attending and lead "new immigrants" through the interview process

50 Collect samples of popular teen magazines and comic books from around the world. Ask your librarian to set aside a special corner for them in the periodical room.

51 Research children's books representing the experiences of different ethnic groups. Then initiate a reading program with a local bookstore or library that features these books

52 Survey local card and gift shops for product lines geared to diverse groups. Write to greeting card companies and local merchants to advocate for expanding the diversity of selections. Coordinate a contest to create a line of cards/note paper that promotes respect for diversity.

53 Approach the guidance office about hosting a career workshop led by professionals who can discuss diversity in their respective fields.

54 Ask your school to host an Internship Fair for groups such as ADL and other civic organizations that hire student interns.

55 Advocate for the production of school plays that are sensitive to multiculturalism and incorporate a variety of roles and perspectives representing a diverse cast, audience and story.

56 Ensure that musical selections of school bands and choruses are culturally diverse

57 Speak to each of your teachers about posting a list somewhere in the classroom of famous pioneers/leaders in their field with a special focus on diversity.

58 Collect famous speeches about civil rights. Put them together in a binder or in a video collection and make it available to your whole school community.

59 Research civil unrest in this country: from rebellions during slavery to Chicago in the 1960s to Los Angeles in the 1990s.

60 Survey the colleges in your area about diversity and affinity clubs at their schools. Invite a panel of representatives to speak to the senior class about "Prejudice on the College Campus: What To Look For - What To Do."

In Your Workplace

61 Make respect for diversity a core value in your company and articulate it as such in the company's handbook/employee manual

62 Provide ongoing awareness programs about the value of human diversity for all employees in the organization.

63 Take advantage of diversity consultants and training programs such as the A WORLD OF DIFFERENCE® Institute's A WORKPLACE OF DIFFERENCE™ to assist you with ongoing education.

64 Incorporate diversity as a business goal. Secure a high degree of commitment from all employees.

65 Become aware and respectful of individual work styles.

66 Create an environment conducive to the exploration of diversity

67 Learn about co-workers' backgrounds and share your own. Ask questions that invite explanation and answer with the same.

68 Create a display area where employees can post notices of events and activities happening in their communities.

69 Publish and distribute to all staff a list of ethnic and/or religious holidays and the meaning of the customs associated with celebrating them.

70 Sponsor a lunchtime "brown-bag" series that features speakers on diversity topics.

71 Sponsor a mentoring program and reach out to students in local high schools and colleges.

72 Provide opportunities to attend local cultural events and exhibits.

73 Participate as a sponsor in community events that support the health and welfare of society.

In Your House of Worship

74 Urge your leaders to use the pulpit to condemn all forms of bigotry.

75 Encourage friends of other faiths to visit your religious services and share your religious knowledge with them.

76 Invite clergy representing religions different from your own to participate in services and deliver the sermon.

77 Host a tour for elected and appointed city/town officials to learn more about your religion and the programs and activities your religious community offers.

78 Ensure that all faiths are represented accurately in existing library materials and religious school curricula

79 Reach out to diverse religious communities to cosponsor festivals and holiday observances, such as ADL's Interfaith Seders, that highlight and celebrate our common humanity.

80 Be respectful of everyone who attends your religious services whether they are members of or visitors to your congregation.

81 Turn one bulletin board into a display space where newspaper/magazine clippings depicting current events related to anti-Semitism and other forms of religious persecution, or human rights violations, can be posted for all to read.

82 Organize an interfaith retreat for young people to increase understanding of each other's beliefs and build lasting friendships

83 Plan an interfaith youth group trip to the U.S. Holocaust Memorial Museum in Washington, DC. Raise funds to cover travel expenses with a community bake sale, car wash, service auction or other activity.

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In Your Community

84 Establish a Human Rights Commission and a Community Watch Group in your city/town.

85 Organize a local multicultural committee that serves as an umbrella organization for groups which raise awareness about prejudice and provide support for cultural events, holiday programs or community efforts that promote intergroup harmony

86 Volunteer to serve on one of these organizations' committees and work to support their initiatives.

87 Petition government officials to issue a proclamation making your city/town a prejudice-free zone.

88 Plan a community-wide "Walk/Run Against Hate" in which sponsored participants would donate all monies pledged to an anti-bias or other human rights organization.

89 Become aware of your city/town's demographics and compare it to others around the state to better understand the diversity in your community.

90 Hold a city-wide Human Rights Day. Contact representatives of the Reebok Human Rights Board, Amnesty International, ADL and other human rights organizations to participate.

91 Build a community float that promotes understanding and respect for the diversity of your community and march in local and state parades. Contact parade officials to make sure that groups of all different backgrounds are invited to march.

92 Suggest to your local newspaper that it devote a corner of the editorial page each month to at least one opinion piece relating to anti-prejudice and pro-diversity themes

93 Meet with school and community librarians and local bookstores to discuss ways to highlight literature that is representative of all cultures

94 Compile a citizen's directory of the businesses and community organizations that exist to support diverse groups in the community.

95 Research your town/community's involvement in struggles for civil and human rights throughout history, e.g., abolition, the civil rights movement, etc., and create an exhibit for the local library/town hall.

96 Discuss alternative accessibility routes such as ramps, stairs and elevators in your community and invite speakers into your school and community groups to talk about such initiatives

97 Make sure your public facilities accommodate the needs of all residents.

98 Collect traditional family recipes from local residents for a Community Cookbook. Solicit ads to support the cost of reproducing and distributing the book as part of a welcome wagon program for new residents.

99 Organize a city-wide "Hoops for Harmony" basketball tournament with proceeds from ticket sales going to a local non-profit organization that promotes awareness of and respect for diversity.

100 Hold a "Paint-Out Day" to eliminate graffiti that promotes bigotry, culminating with a potluck supper.

101 Brainstorm 100 more ways to make your community a prejudice-free zone!

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CRITICAL THINKING QUESTIONS

1. What is your reaction to the definition of hate crimes? Is it too broad? Are there any other categories that need to be included?

2. After reviewing the curriculum guide information on hate crime statutes, do you think that more legislation is needed to combat hate crimes? Is there necessarily a relationship between anti-hate laws and the ability of government to restrain groups and individuals who perpetrate such crimes?

3. Why are African Americans, Jews, and now gay men and women, such targets of hate crimes? Are the types and numbers of hate crimes influenced by demographics (e.g. region of the country, socio-economic factors, urban vs. suburban vs. rural)?

4. Why do so many victims fail to report hate crimes?

5. What are the basic characteristics of a hate crime? Are there any characteristics that are peculiar to America of the 1990's?

6. At what point is the local community rather than the government, better able to respond to acts of hate?

7. What is your school doing to teach tolerance and acceptance of others? If it is not doing enough, why do you think that is the case?

8. What is your reaction to the story of the neo-Nazi turned consultant for the anti-hate center?

9. What tactic seems most effective for you individually to fight hate crimes? What tactic seems most effective for you as a member of the community?

CRITICAL THINKING QUESTIONS (CONTINUED)

10. Who (community leaders, politicians, media figures, educators, parents, peers) holds the greatest influence over your attitudes towards tolerance and hate behavior? What actions of others have influenced your attitudes the greatest regarding matters of tolerance and hate crimes?

11. Should the government limit the ability of some individuals or groups to produce music that denigrates others or advocates hate crimes? Should the government restrict the ability of individuals or groups to produce Internet websites that denigrate others or advocate hate crimes? Why or why not?

12. How would you characterize the actions of groups like the Southern Poverty Law Center and the Anti-Defamation League to purge the Internet of offensive music and racist websites? Would you prefer the government undertake these activities instead?

13. Do civil damages (suing for damages) or criminal trials offer the greatest opportunity for combating hate crimes and hate speech in the community? Why?

14. Should Congress draft a law providing for a uniform definition of hate crimes?

15. How do you respond when organizations such as the Christian Coalition, Family Research Council and Focus on the Family, lobby heavily to defeat hate-crime legislation? Why do you think these groups take such positions?

16. Does peer pressure and hearing your fellow students use hate speech influence your behavior?

1004-S

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